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# Easement

Vol MOO Page 39863

For valuable consideration received, **James Dericx Smith and Candi Lyn Smith**, Grantor, conveys to **Cathy Tremble**, Grantee, a non-exclusive easement to use a road, which presently exists on and passes across the following described land owned by the Grantor:

The East half of the Southeast quarter of the Northeast quarter of Section 2, Township 35 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

For the purpose of ingress and egress to and from real property owned by Grantee, described as follows:

The Southeast quarter of the Southwest quarter of the Northeast quarter and the Southwest quarter of the Southeast quarter of the Northeast quarter of Section 2, Township 35 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

Excepting therefrom the Easterly 970 feet.

The terms of this easement are as follows:

1. Grantee, its agents, and invitees shall use said road for ingress and egress to and from Grantee's land only.
2. Grantor reserves the right to use and maintain said road for Grantor's own purposes. Grantor may grant use rights to third parties. The parties may cooperate during periods of joint use so that each party's use shall cause a minimum of interference to the other', however, in case of conflict Grantor's right to use shall be dominate.
3. Grantee agrees to indemnify and defend Grantor from any loss, claim or liability to Grantor arising in any manner out of Grantee's use of said road. Grantee shall pay Grantor for any merchantable timber or other property of Grantor damaged by Grantee's use of this easement. Grantee assumes all risk arising out of its use of said road and Grantor shall have no liability to Grantee or others for any condition existing thereon.
4. This easement is granted subject to all other easements and encumbrances of record.

Dated: October 31, 2000

James Dericx Smith  
James Dericx Smith

Cathy Tremble  
Cathy Tremble

Candi Lyn Smith  
Candi Lyn Smith

39864

STATE OF OREGON,

County of Klamath } ss.FORM NO. 23 — ACKNOWLEDGMENT  
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 31<sup>ST</sup> day of October, 2000,  
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within  
named JAMES DERICK SMITH and  
Candi Lyn Smith

known to me to be the identical individual S described in and who executed the within instrument and  
acknowledged to me that They executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed  
my official seal the day and year last above written.



Cristina Flogerzi  
Notary Public for Oregon.  
My Commission expires 12-05-00

STATE OF OREGON,

County of Klamath } ss.FORM NO. 23 — ACKNOWLEDGMENT  
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 31<sup>ST</sup> day of October, 2000,  
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within  
named Cathy Tremble

known to me to be the identical individual described in and who executed the within instrument and  
acknowledged to me that She executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed  
my official seal the day and year last above written.



Cristina Flogerzi  
Notary Public for Oregon.  
My Commission expires 12-05-00

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35 36  
2 1

← EXISTING ROAD

State of Oregon, County of Klamath  
Recorded 11/01/00, at 10:49a.m.  
In Vol. M00 Page 39863  
Linda Smith,  
County Clerk Fee\$ 31<sup>00</sup>

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