

ROADWAY EASEMENT

This Roadway Easement Agreement, entered and made on the date last signed below by and between Juanita S. Fairclo, formerly Goode, Keith D. Goode, Eileen M. Gibbons and Terry L. Schafer, individually, as Grantors, Grant and convey to Juanita S. Fairclo, formerly Goode, hereinafter referred to as Grantee, the following easement subject to the conditions and covenants which follow:

1. **Servient Property:** Grantors are the owners of the following real property:

See Attached Exhibit "A"

2. **Dominant Property:** Juanita S. Fairclo, formerly Goode, is the owner of the following described real property situated as follows:

See Attached Exhibit "B"

3. **Consideration:** For good and valuable consideration, receipt and sufficiency of which is hereby acknowledged by Grantors; Grantors conveys to Grantees, their heirs, successor and assigns, a non exclusive easement appurtenant for roadway purposes as described herein.

4. **Roadway Easement Described:** Grantors conveys to Grantees, their heirs, successors and assigns over the servient property described in paragraph 1 above to the favor of the dominant property described in paragraph 2 above; a non exclusive roadway easement appurtenant for vehicular and pedestrian access and egress, as described in Exhibit "A1" attached hereto and incorporated herein.

5. **Term of Easement:** The easement and covenants above described are appurtenant to the properties owned by the parties described herein. Each shall be perpetual and benefitting and burdening the parties hereto, their heirs, successors and assigns.

6. **Execution in Counterpart:** This easement agreement shall be fully effective if executed in counterpart upon the delivery and recordation of signed originals of each of the parties herein to be bound.

IN WITNESS WHEREOF, the undersigned have hereunto executed this document.

DATED SIGNATURES AND NOTARIALS CONTINUED ON NEXT PAGE

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State of Oregon, County of Klamath
Recorded 12/16/03 3:39 p.m.
Vol M03 Pg 91496-91503
Linda Smith, County Clerk
Fee \$ 56.00 # of Pgs 8

ROADWAY EASEMENT

FAIRCLO, GOODE, GIBBONS, and SCHAFER TO FAIRCLO, - PAGE 1 OF 5

56 P

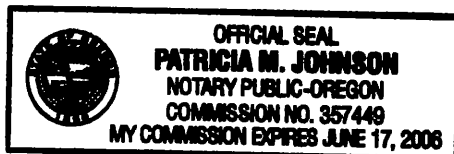
91497


DATED this 16th day of December, 2003


JUANITA S. FAIRCLO,
Formerly Goode

STATE OF OREGON)
) ss.
County of Klamath)

SUBSCRIBED AND SWORN to before me this 16 day of December, 2003 by Juanita S. Fairclo.




Notary Public for Oregon
My Commission Expires: 6-17-2006

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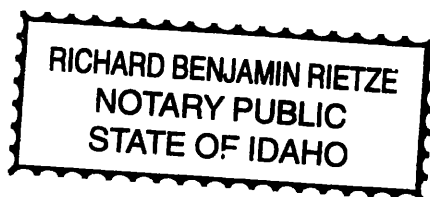
91498

DATED this 12 day of December, 2003.

Keith D. Goode
KEITH D. GOODE

STATE OF IDAHO)
) ss.
County of Canyon)

SUBSCRIBED AND SWORN to before me this 13th day of December, 2003 by Keith
D. Goode.



Richard Benjamin Rietze
Notary Public for Idaho
My Commission Expires: Nov 25 2006

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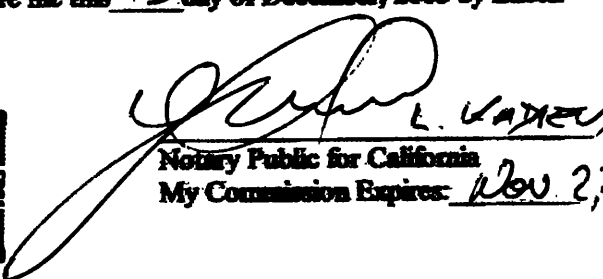
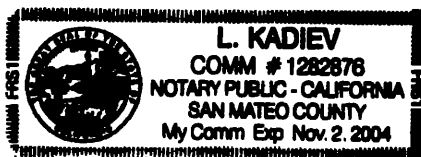
ROADWAY EASEMENT

FAIRCLO, GOODE, GIBBONS, and SCHAFER TO FAIRCLO, - PAGE 3 OF 5

91499

DATED this 13 day of December, 2003.
EILEEN M. GIBBONS

STATE OF CALIFORNIA)

County of San Mateo) ss.SUBSCRIBED AND SWORN to before me this 13²⁴ day of December, 2003 by Eileen M. Gibbons.
L. KADIEV
Notary Public for California
My Commission Expires: Nov 2, 2004

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ROADWAY EASEMENT

FAIRCLO, GOODE, GIBBONS, and SCHAFER TO FAIRCLO, - PAGE 4 OF 5

91500

DATED this 15th day of December, 2003.


TERRY L. SCHAFER

STATE OF OHIO)
) ss.
County of Washington

SUBSCRIBED AND SWORN to before me this 15th day of December, 2003 by Terry L. Schafer.


Notary Public for Ohio
My Commission Expires: 11/17/04

Exhibit "A"

Real property in the County of , State of Oregon, described as follows:

Parcel One: A parcel of land situated in the NE 1/4 SW 1/4 of Section 9, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and being a portion of Ewauna Park Subdivision according to the official plat thereof on file in the office of the Klamath County Clerk, more particularly described as follows:

Beginning at a point on the Easterly right of Way line of Tingley Lane (formerly Manzanita Way), said point being the intersection of said Easterly line with the South right of way line of Birch Street (now vacated of said Ewauna Park Subdivision; thence S. 70°19'42" E. along the South right of way line of said vacated Birch Street, a distance of 191.00 feet to a point; thence N. 19°40'18" E. perpendicular to the said South right of way line, a distance of 50.00 feet to a point on the North right of way line of said vacated Birch Street; thence S. 70°19'42" E. along said North right of way line, a distance of 325.34 feet to a point on the East line of the NE 1/4 SW 1/4 of said Section 9, said point being S. 00°06'02" W. 561.65 feet from the Northeast corner of said NE 1/4 SW 1/4; thence S. 00°06'02" W. along said East line of the NE 1/4 SW 1/4, a distance of 477.59 feet to the southeast corner of Lot 1, Block 20 of said Ewauna Park Subdivision; thence N. 70°19'42" W., along the southerly lines of the following Lots; Lot 1 of Block 20, Lots 10 and 17 of Block 18 and Lots 8, 9, and 10 of Block 15, a distance of 676.32 feet to the Southwest corner of said Lot 8 ; thence N. 19°40'18" E. along the West line of Block 15 a distance of 400.00 feet to the Point of Beginning; containing 5.94 acres more or less.

EXHIBIT "B"

Parcel Two: A parcel of land situated in the SE 1/4 of Section 9, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the West line of said SE 1/4 of Section 9, said point being S. 00°06'02" W. 30.00 feet from the Northwest corner of said SE 1/4; thence S. 89°13'13" E. along the South right of way line of LaVerne Avenue, a distance of 60.00 feet to the Westerly right of way line of the Burlington Northern & Santa Fe Railway Co. (formerly Great Northern Railway Co.); thence S. 00°06'02" W. 189.04 feet along said Westerly right of way line; thence S. 47°23'24" E., 1413.45 feet along said Westerly right of way line; thence S. 42°36'36" W. perpendicular to said Westerly right of way line, a distance of 207.80 feet; thence N. 48°25'27" W. 299.92 feet; thence N. 60°58'37" W., 600.45 feet; thence N. 87°57'55" W., 211.38 feet to a point on the West line of said SE 1/4 of Section 9; thence N. 00°06'02" E. along the said West line, a distance of 801.85 feet to the Point of Beginning; containing 9.58 acres more or less.

EXHIBIT "A1"

ACCESS TO PARCEL 1 OF LP10-03

December 1, 2003

A strip of land situated in the NE1/4 SW1/4 of Section 9, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, for the purpose of access to Parcel 1 of Land Partition 10-03 as recorded at the office of the Klamath County Clerk. Strip of land is to be 60 feet in wide lying 30 feet on each side of the following described line:

Beginning at a point on the easterly right of way line of Tingley Lane (formerly Manzanita Way), said point bears North 46°24'23" East, 2856.09 feet from a Klamath County brass cap marking the southwest corner of said Section 9; thence South 70°19'42" East, 290.44 feet; thence North 84°17'24" East, 313.13 feet to a point on the easterly boundary of Ewauna Park Subdivision, as recorded at the office of the Klamath County Clerk. Said point being the point of terminus which bears North 00°06'02" East along the center of section line, 1895.84 feet, from the South 1/4 corner of said Section 9.

The side lines of said 60 foot easement are to be extended or shortened to meet at angle points and to terminate at the easterly right of way of Tingley Lane and the easterly boundary of Ewauna Park Subdivision. Containing 0.83 acres, more or less.