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State of Oregon, County of Klamath  
Recorded 08/16/04 9:35a m  
Vol M04 Pg 53568-20  
Linda Smith, County Clerk  
Fee \$ 31<sup>00</sup> # of Pgs 3

**EASEMENT**

Date: August 3, 2004

For valuable consideration received, JELD-WEN, inc., (Grantor) conveys to Gregory Aland and Theresa Aland, (Grantee) a nonexclusive easement to use a road which presently exists on and passes across the following described land owned by Grantor:

That portion of the SE ¼ SE ¼ of Section 35, Township 34 South, Range 8 East, Willamette Meridian lying south of Sprague River Road, Klamath County, Oregon.

for the purpose of ingress to and egress from real property owned by Grantee, described in Item 7 below.

The terms of this easement are as follows:

1. Grantee, its agents, and invitees shall use said road for ingress to and egress from Grantee's land only
2. Grantee shall have the duty to repair, at Grantee's own expense, any excessive or unusual damage to said road caused by Grantee's use thereof
3. 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 the periods of joint use so that each party's use shall cause a minimum of interference to the others', however, in case of conflict Grantor's right to shall be dominant
4. Grantor reserves the right to relocate said road at any time and in such case shall reconstruct the road at such new location, so long as Grantor does not obstruct or deny Grantee's right of access to Grantee's property. If said road is relocated, Grantor may record an instrument indicating the location of the new road and such instrument shall serve to amend this easement and eliminate the rights of Grantee in the original road covered by this easement. Such amendment shall be effective whether or not signed by Grantee, but Grantee shall execute it or such other document necessary to indicate relocation of the road when and if requested by Grantor
5. Grantee agrees to indemnify and defend Grantor from any loss, claim or liability to Grantor arising in any manner out to 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 other for any condition existing thereon

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6. This easement is granted subject to all other easements and encumbrances of record
7. This easement is appurtenant to the real property owned by Grantee, which real property is  $\frac{1}{4}$  mile south of land owned by Grantor. Grantee's real property is more particularly described as follows:

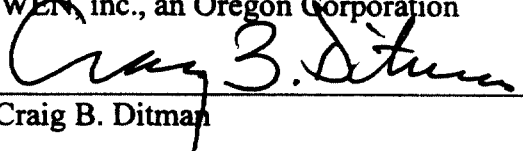
NE $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 2, Township 35 South, Range 8 East, Willamette Meridian, Klamath County, Oregon; otherwise known as Tax Lot 3508-1000.

In witness thereof, the parties have caused this instrument to be executed the day and year first written above.

GRANTOR

JELD-WEN, inc., an Oregon Corporation

By

  
Craig B. Ditman

Title General Manager

GRANTEE

  
Gregory Aland

  
Theresa Aland

EASEMENT

53570

State of Oregon }  
County of Klamath } ss.

This instrument was acknowledged before me on 8/9/04 (date) by Gregory Aland

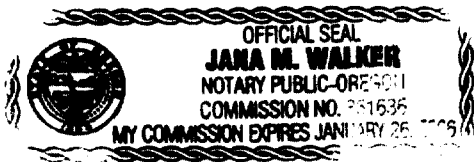


Before me:

Jana M. Walker  
Notary Public for Oregon  
My commission expires: 1/26/2006

State of Oregon }  
County of Klamath } ss.

This instrument was acknowledged before me on 8/9/04 (date) by Theresa Aland

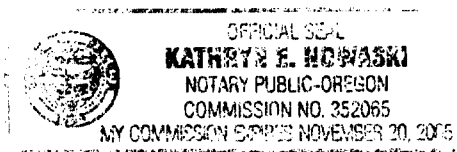


Before me:

Jana M. Walker  
Notary Public for Oregon  
My commission expires: 1/26/2006

State of Oregon }  
County of Klamath } ss.

This instrument was acknowledged before me on 08/11/04 (date) by Craig Ditman as General Manager of Timber and Ranches of JELD-WEN, inc.



Before me:

Kathryn E. Nowaski  
Notary Public for Oregon  
My commission expires: 20/11/2005

AFTER RECORDING RETURN TO:

JELD-WEN, inc.  
Attn: Craig Ditman  
401 Harbor Isles Blvd.  
Klamath Falls, OR 97601