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Vol M04 Page 70750

After Recording Return to:

Paradise Hill Development, LLC  
PO Box 223  
Klamath Falls, OR 97601

State of Oregon, County of Klamath  
Recorded 10/18/04 2:58 p m  
Vol M04 Pg 70750-58  
Linda Smith, County Clerk  
Fee \$ 5.00 # of Pgs 7

**GENERAL EASEMENT AGREEMENT**  
**SEPTEMBER, 2004**

Saul Laskin, his heirs, assigns and successors, henceforth, "Party A" being the owner of the following real property.

Legal Description: See attached Exhibit "A"

AND, George A. Pondella, Jr, his heirs, assigns and successors, henceforth, "Party B", being the owner of real property adjoining or adjacent to the above cited property, which said property is described as follows:

Legal Description: See attached Exhibit "B"

AND, Paradise Hill Development, L.L.C., its heirs, assigns and successors, henceforth, "Party C", being the owner of real property adjoining or adjacent to the above cited property, which said property is described as follows:

Legal Description: See attached Exhibit "C" and Exhibit "F"

AND, Carl R. Eaby, IV, his heirs, assigns and successors, henceforth, "Party D", being the owner of real property adjoining or adjacent to the above cited property, which said property is described as follows:

Legal Description: See attached Exhibit "D"

AND, Paradise Hill Homeowners Association, its assigns and successors, henceforth, "Party E", being the owner of the roadways within the Grey Rock Subdivision - Tract 1374, Paradise Hill Subdivision - Tract 1316 and Troubador Trails Subdivision - Tract 1360, as shown in the records of the Klamath County Clerk, Klamath County, Oregon::

WHEREFORE, for and in consideration of the agreements contained herein, the parties hereto agree as follows:

1. Party "A" (Saul Laskin) hereby grants to Party "E" (Paradise Hill Homeowners Association) a permanent, non-exclusive easement for the purposes of ingress, egress and utility placement and maintenance, 60 feet in width, along the Westerly boundary of the real property described in Exhibit "A", provided further that Party "A" may not install gates, fences or other impediments to access or access maintenance and that Party "E" shall be responsible for maintenance of the road to be constructed in the easement;

2. Party "E" (Paradise Hill Homeowners Association) hereby grants to Party "A" (Saul Laskin) a permanent, non-exclusive easement for the purposes of ingress and egress on all roads which are now or which become under the control of Party "E";

3. Party "A" (Saul Laskin) hereby terminates and relinquishes any rights to a 25 foot easement located across the Westerly 25 feet of the S1/2 of SE1/4NE1/4 of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon as shown in Vol M78, Page 13273, Klamath County Deed Records;

4. Party "C" (Paradise Hill Development, L.L.C.) hereby grants to Party "E" (Paradise Hill Homeowners Association) a permanent, non-exclusive easement for the purposes of ingress, egress, fire pond, drainage pond and utility placement as described in Exhibit 1, provided further that Party "E" shall be responsible for the maintenance of the road, fire pond and drainage pond to be constructed in the easement;

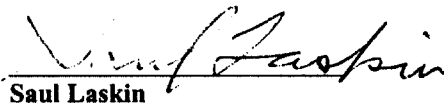
51- OC Adkins Consulting Engineers

5. Party "B" (George A. Pondella, Jr.) hereby grants to Party "A" (Saul Laskin) a permanent, non-exclusive easement for the purposes of ingress, egress, parking, lawn use, utility placement and other uses other than placement of structures on that portion of his real property described in Exhibit "2";

6. Party "C" (Paradise Hill Development, L.L.C.), Party "D" (Carl R. Eaby, IV), and Party "E" (Paradise Hill Homeowners Association) hereby grant to Party "A" (Saul Laskin) a permanent, non-exclusive easement for the purposes of establishing and maintaining a septic system drain field to be located on the real property described in Exhibit "3" to service a single residence located on the northeast corner of the real property described in Exhibit "A" together with a non-exclusive easement for the purpose of ingress, egress and utilities, and utility hook-up, from existing Peregrine Heights road on the real property described in Exhibit 4, provided further that Party "C" (Paradise Hill Development, L.L.C.), and Party "E" (Paradise Hill Homeowners Association) may not install gates, fences or other impediments to the easement use of the easements described in Exhibits 2, 3, or 4.

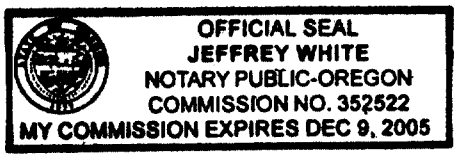
7. It is agreed between Party "A" (Saul Laskin) and Party "C" (Paradise Hill Development, L.L.C.) that Party "A" will not allow any mobile or manufactured homes to be placed on the real property described in Exhibit "A" nor will he allow garbage, trash or car body(ies) to accumulate on said property. No shiny or bright color roof or siding surfaces shall be used on buildings. It is further agreed that Party "C" will not allow any mobile or manufactured homes to be placed on the real property described in Exhibit "F" nor will the company allow garbage, trash or car body(ies) to accumulate on said property. No shiny or bright color roof or siding surfaces shall be used on buildings.

8. By their execution of this Agreement, each party hereto, for themselves and their heirs, assigns and successors, agrees that Party "A" (Saul Laskin) may apply to the County for a variance to reduce set-back requirements for a residence to be located in the Northeast corner of his property to not less than five (5) feet provided that the house is no more than 100 feet from the northeast corner of Exhibit "A" property and further that Party "C" (Paradise Hill Development, L.L.C.) or its successors or assigns, may apply to the County for a variance to reduce set-back requirements along the common property line, of properties described in Exhibit "A" and Exhibit "E", to not less than five (5) feet for a residence to be located within 100 feet of the Southwest corner of the real property described in Exhibit "E" and no party hereto shall object to such variances.

  
Saul Laskin

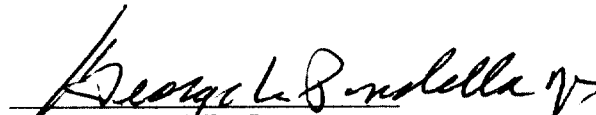
STATE OF OREGON, County of Washington ss.

SUBSCRIBED AND SWORN to before me this 27 day of September, 2004



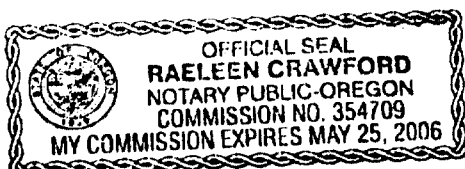
  
Notary Public for Oregon

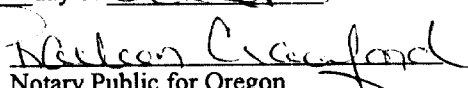
My Commission Expires: Dec. 9, 2005

  
George A. Pondella, Jr.

STATE OF OREGON, County of Klamath) ss.

SUBSCRIBED AND SWORN to before me this 4 day of October, 2004



  
Notary Public for Oregon

My Commission Expires: 5-25-06

Mark R. Wendt

Mark Wendt

Member, Paradise Hill Development, L.L.C.

STATE OF OREGON, County of Klamath) ss.

SUBSCRIBED AND SWORN to before me this 21 day of September, 2004



Margaret John  
Notary Public for Oregon  
My Commission Expires: 9/12/06

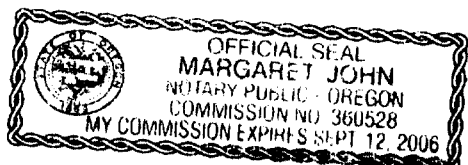
Frank Goodson

Frank Goodson

Member, Paradise Hill Development, L.L.C.

STATE OF OREGON, County of Klamath) ss.

SUBSCRIBED AND SWORN to before me this 21 day of September, 2004



Margaret John  
Notary Public for Oregon  
My Commission Expires: 9/12/06

Mark R. Wendt

Mark Wendt

President, Paradise Hill Homeowners Assoc..

STATE OF OREGON, County of Klamath) ss.

SUBSCRIBED AND SWORN to before me this 21 day of September, 2004



Margaret John  
Notary Public for Oregon  
My Commission Expires: 9/12/06

70753



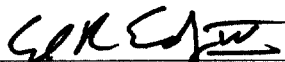
Frank Goodson  
Vice Pres. Paradise Hill Homeowners Assoc.

STATE OF OREGON, County of Klamath) ss.

SUBSCRIBED AND SWORN to before me this 21 day of September, 2004



Margaret I. John  
Notary Public for Oregon  
My Commission Expires: 9/12/06

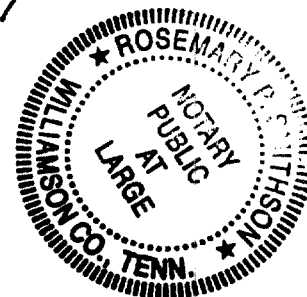


Carl R. Eaby, IV

STATE OF TENNESSEE, County of ~~Klamath~~) ss.

SUBSCRIBED AND SWORN to before me this 8<sup>th</sup> day of October, 2004

Rosemary P. Smith  
Notary Public for Tennessee  
My Commission Expires: 8/11/07



**EXHIBIT 1**

A strip of land 60.00 feet in width situated in the S½ SE¼ NE¼ of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being 30.00 feet on both sides of the following described centerline:

Beginning at a point on the north line of said S½ SE¼ NE¼ from which the northwest corner thereof bears North 89°36'14" West 30.00 feet; thence parallel to the west line of said S½ SE¼ NE¼ South 00°19'23" West 1.74 feet; thence 203.78 feet along the arc of a curve to the left, said curve having a radius of 200.00 feet and a delta angle of 58°22'44", the long chord of which bears South 28°51'59" East 195.08 feet; thence 388.32 feet along the arc of a curve to the right, said curve having a radius of 200.00 feet and a delta angle of 111° 14'43", the long chord of which bears South 02°25'59" East 330.13 feet; thence South 53°11'23" West 10 feet, more or less, to the northeasterly line of Uhrmann Road and the end of the strip; the sidelines of said strip to be extended or shortened to terminate on the beginning and ending lines.

ALSO INCLUDING the following described parcel: That portion of said S½ SE¼ NE¼ of Section 7 lying northerly of Uhrmann Road west of the above described strip.

**EXHIBIT 2**

A parcel of land situated in the NE¼ NE¼ of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the southeast corner of the NE¼ NE¼ of Section 7, thence along the east line of said NE¼ NE¼ North 00°35'33" East 135.92 feet; thence leaving said east line South 74°01'04" West 31.30 feet; thence South 14°42'10" 131.25 feet to the south line of said NE¼ NE¼; thence along said south line South 89°44'10" East 62.00 feet to the point of beginning.

**EXHIBIT 3**

A parcel of land situated in NW¼ NW¼ of Section 8, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Commencing at the southwest corner of the NW¼ NW¼ of Section 8, thence along the west line of said NW¼ NW¼ North 00°35'33" East 104.62 feet; thence leaving said west line North 74°01'04" East 63.33 feet to the true point of beginning; thence South 15°58'56" East 120.00 feet; thence North 74°01'04" East 100.00 feet; thence North 15°58'56" West 120.00 feet; thence South 74°01'04" West 100.00 feet to the point of beginning.

**EXHIBIT 4**

A strip of land 30.00 feet in width situated in the NW¼ NW¼ of Section 8, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being 15.00 feet on each side of the following described centerline:

Commencing at the southwest corner of the NW¼ NW¼ of Section 8, thence along the west line of said NW¼ NW¼ North 00°35'33" East 120.27 feet to the true point of beginning; thence leaving said west line North 74°01'04" East 735.64 feet to the westerly line of Peregrine Heights and the terminus of the centerline, the sidelines of said strip to be extended or shortened to terminate on the west line of said NW¼ NW¼ and on the westerly line of Peregrine Heights.

**EXHIBIT A**

A parcel of land situated in the SE¼ NE¼ of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

The N½ SE¼ NE¼ of said Section 7.

**EXHIBIT B**

A parcel of land situated in the N½ NE¼ of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Parcel 1 of Major Land Partition 21-91 according to the official plat thereof on file in the office of the Klamath County Clerk.

**EXHIBIT C**

Lots 12 and 14 of Tract 1316 – Paradise Hill according to the official plats thereof on file in the office of the Klamath County Clerk.

**EXHIBIT D**

Lot 13 of Tract 1316 – Paradise Hill according to the official plat thereof on file in the office of the Klamath County Clerk.

**EXHIBIT E**

A parcel of land situated in the NE¼ NE¼ of Section 7, the NW¼ NW¼ and SW¼ NW¼ of Section 8, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the section line common to Section 7 and Section 8, said Township and Range, said point being the southeast corner of the NE¼ NE¼ of Section 7, thence along the south line of said NE¼ NE¼ North 89°44'10" West 465.66 feet; thence North 74°01'04" East 1231.53 feet; thence South 28°04'21" West 71.20 feet; thence 25.77 feet along the arc of a non-tangent curve to the left through an angle of 29°31'46", said curve having a radius of 50.00 feet, the long chord of which bears South 66°26'16" West 25.48 feet; thence leaving said south line 287.96 feet along the arc of a non-tangent curve to the left through an angle of 86°09'22", said curve having a radius of 191.50 feet, the long chord of which bears South 58°59'21" West 261.59 feet; thence 134.04 feet along the arc of a curve to the right through an angle of 35°02'15", said curve having a radius of 219.18 feet, the long chord of which bears South 33°23'23" West 131.96 feet; thence 359.38 feet along the arc of a curve to the left through an angle of 83°46'23", said curve having a radius of 245.79 feet, the long chord of which bears South 05°24'45" West 328.21 feet, thence North 89°24'27" West 336.75 feet to the section line common to Section 7 and Section 8; thence along said section line North 00°35'33" East 300.01 feet to the point of beginning.

**EXHIBIT F**

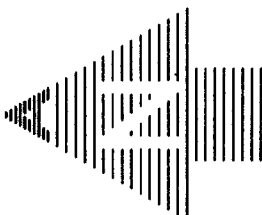
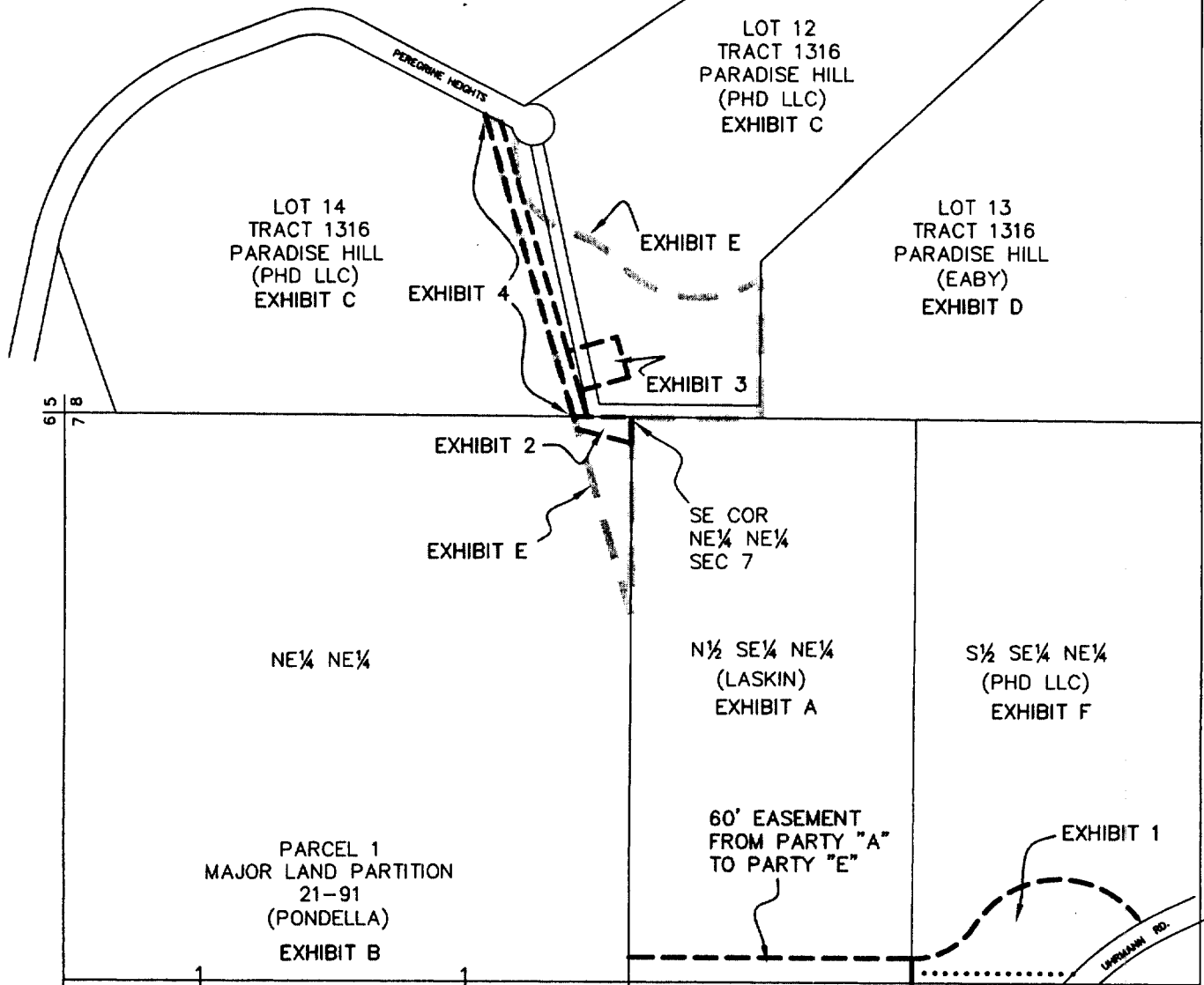
A parcel of land situated in the SE¼ NE¼ of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

The S½ SE¼ NE¼ of said Section 7.

# MAP FOR GENERAL EASEMENT AGREEMENT

SEPTEMBER, 2004

70756



SCALE: 1" = 400'

- PARTY "A" SAUL LASKIN
- PARTY "B" GEORGE A. PONDELLA, JR.
- PARTY "C" PARADISE HILL DEVELOPMENT, LLC
- PARTY "D" CARL R. EABY, IV
- PARTY "E" PARADISE HILL HOMEOWNERS ASSOCIATION

BOUNDARY OF EXHIBIT E

**ADKINS**

CONSULTING  
ENGINEERS, INC.

Engineers ▲ Planners ▲ Surveyors

2950 Shasta Way · Klamath Falls, Oregon 97603 · (541) 884-4865 · FAX (541) 884-5335  
Klamath Falls, OR Medford, OR Alturas, CA