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## EASEMENT

THIS AGREEMENT, the effective date of which is the 29<sup>th</sup> day of July, 2005, between ANTHONY P. EDWARDS and CHARMAINE L. EDWARDS, herein collectively referred to as "Grantor," and TIMOTHY J. SUNNAFRANK, hereinafter called "Grantee."

## RECITALS

1. WHEREAS, Grantor owns the real property described in Exhibit "A" marked therein and hereinafter referred to as "Grantor's parcel," and
2. WHEREAS, Grantee owns real property described in Exhibit "B" marked therein and hereinafter referred to as "Grantee's parcel."

## GRANT OF EASEMENT

3. In consideration of \$1.00 and other valuable consideration hereby paid to Grantor, the Grantor hereby grants an exclusive easement across Grantor's property for the benefit of the Grantee. The easement is 25 feet in width, and is located on the eastern edge of Grantor's parcel, and which runs in a north-south direction. The easement is for ingress and egress and for utility access to the nearest county road and/or state highway.

4. Grantee may not use the easement for any illegal purpose, or for any use prohibited by state, federal or local laws, ordinances and regulations.

5. All expenses, construction, maintenance, repair and replacement of said easement or facilities shall be the responsibility of Grantee.

6. This easement shall run with the land. It is recognized that said easement burdens Grantor's parcel and that the benefit and appurtenance shall be to Grantee's parcel.

7. If suit or action is instituted to enforce any of the provisions of this Agreement, the party prevailing therein shall be entitled to recover from the other such sum as the Court may adjudge reasonable as attorney's fees therein, including any appeal thereof. This agreement was drafted at the direction of the Grantee by Justin Throne, attorney who represents Grantee. This document shall not be construed for or against either party by reason of said attorney drafting this document.

State of Oregon, County of Klamath  
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 Linda Smith, County Clerk  
 Fee \$ 31.00 # of Pgs 3

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IN WITNESS WHEREOF, the Parties hereto have set their hands on the date first above written.

GRANTOR:

*Anthony P. Edwards*  
*Charmaine Edwards*

GRANTEE:

*Timothy J. Sunnafrank*

STATE OF OREGON

County of Klamath

} ss.  
 }



*August* The foregoing instrument was acknowledged before me this 1 day of *July*, 2005, by ANTHONY P. EDWARDS AND CHARMAINE L. EDWARDS.

*Stacy Collins*  
 Notary Public for Oregon  
 My Commission expires: *8/2/07*

STATE OF OREGON

County of Klamath

} ss.  
 }

*August* The foregoing instrument was acknowledged before me this 1 day of *July*, 2005, by TIMOTHY J. SUNNAFRANK.

*Stacy Collins*  
 Notary Public for Oregon  
 My Commission expires: *8/2/07*



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## Exhibit "A"

The N 1/2 NE 1/4 of Section 21, Township 36 South, Range 13 East of the Willamette Meridian, in the county of Klamath, State of Oregon, EXCEPTING THEREFROM the following described real property:

Beginning at a point being the Southeast corner of the N 1/2 NE 1/4 of Section 21, Township 36 South, Range 13 East of the Willamette Meridian; thence West 290.4 feet to a point; thence North parallel with the Easterly boundary of said NE 1/4 a distance of 300 feet; thence East a distance of 290.4 feet to a point; thence South along the section line between Sections 21 and 22 to the point of beginning.