

**M05-64290**

Klamath County, Oregon

09/15/2005 09:37:55 AM

Pages 2 Fee: \$26.00

After Recording Return to:

Michael L. Spencer  
419 Main St.  
Klamath Falls, OR 97601

## GENERAL EASEMENT AGREEMENT

Elsie D'Orazio, her heirs, assigns and successors, henceforth, Party "A" being the owner of the following real property.

Legal Description: Lot 8 in Block 1 of HOMELAND TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

AND, Triple Sorg Investments, LLC, its assigns and successors, henceforth, Party "B", being the owner of the following real property:

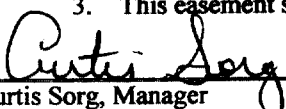
Legal Description: Lot 7 in Block 1 of HOMELAND TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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

1. Party "B" hereby grants to Party "A" a permanent, non-exclusive easement for the purposes of ingress, egress, road and utility placement and maintenance, 20 feet in width, as described in Exhibit "A", provided further that Party "A" may not install gates, fences or other impediments to access, may not interrupt or otherwise impeded access to Party "B's" property, cause any damage to the easement or any other property of Party "B", or engage in any activity which causes any change in the access for Party "B".

2. Should Party "A" utilize the easement granted herein, Party "A" agrees to pay to Party "B" 50% of all costs incurred by Party "B" for the upkeep of the easement granted herein.

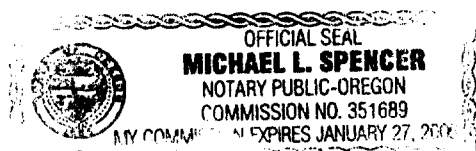
3. This easement shall be effective only if the property of Party "A" is developed for commercial use.

  
Curtis Sorg, Manager

STATE OF OREGON, County of Klamath) ss.

SUBSCRIBED AND SWORN to before me this 14<sup>th</sup> day of Oct, 2005

  
Notary Public for Marion 1  
My Commission Expires: 1-27-06



**DESCRIPTION FOR A JOINT USE DRIVEWAY ACCESS  
EASEMENT AGREEMENT**

An easement over a parcel of land situated in the NW1/4 of the SW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, said parcel being a 20 foot wide strip of land more particularly described as follows:

Beginning at a point on the south right-of-way line of the Klamath Falls – Lakeview Highway (South Sixth Street), said point being the northwest corner of Lot 7, Homeland Tracts; thence S.00°52'E. along the west line of said Lot 7 a distance of 60.00 feet; thence N.89°08'E., 20.00 feet; thence; N.00°52'W., 57.9 feet more or less to a point on said south right-of-way line; thence northwesterly along said right-of-way line, 20.1 feet more or less, to the Point of Beginning. Bearings based on the subdivision plat of "Homeland Tracts" on file in the records of Klamath County.