

Return to: Oregon Department of Forestry
C/O Danny Benson
3200 DeLap Road
Klamath Falls, OR 97601

ACCESS ROAD EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That the STATE OF OREGON, by and through its Department of Forestry, hereinafter called "GRANTOR", in consideration of the sum of Nine Hundred and No/100 (900.00) Dollars, receipt of which is hereby acknowledged, does grant to HUBERT & NANCY THOMPSON, hereinafter called "GRANTEE", a permanent non-exclusive easement for the construction, maintenance and operation of an access roadway over and across the following described premises, to wit:

A Tract of land Situated in the S1/2 SE1/4 NE1/4 of Section 7, Township 39 South, Range 9 East, W.M., Klamath County, Oregon, being more particularly described as follows:

Beginning on the Northwesterly line of that property described in that deed to the State of Oregon, by and through its State Highway Commission, recorded in Book M67, Page 8051 of Klamath County Record of Deeds, at a point opposite and 51.41 feet Northwesterly of Engineers Station 239+00 on the center line of a frontage road, which center line is described in said State of Oregon deed; thence Northwesterly at right angles to said center line a distance of 58.59 feet to a point 110 feet (when measured at right angles) from said center line, said point being the true point of beginning of this description; thence S64° 40' 30"W, 215 feet, more or less to the West line of said S1/2 SE1/4 NE1/4; thence North, along said West line, 50.00 feet; thence Northeasterly to the point of beginning.

Bearings are based on the Oregon Co-ordinate System, South Zone.

The parcel of land to which this description applies contains 0.1 acre, more or less.

This easement is subject to all previous easements or encumbrances of record and the following terms.

1. GRANTEE understands and agrees that the easement hereby granted shall not be exclusive to GRANTEE only and that this Grant of Easement is for residential use only and shall not be used for commercial or any other purpose whatsoever.
2. This instrument does not grant or convey to the GRANTEE any title to the surface of the soil or land described herein. This easement shall be a covenant running with the land and shall inure to the benefit of and bind the successors of the GRANTOR and GRANTEE.
3. The rights herein granted are for the purposes of installing, maintaining, and using an access driveway by GRANTEE.
4. GRANTOR reserves the exclusive right to grant further easements across the above described land.
5. GRANTEE shall comply with all federal, state, and local laws and regulations which in any manner affect the activities of GRANTEE under this easement.

6. GRANTEE shall hold harmless and indemnify the GRANTOR, State of Oregon, the Department of Forestry and all its officers, agents, employees and members from all claims, suits or actions resulting from GRANTEE'S use of GRANTOR'S property. GRANTEE assumes all risk arising out of the use of the easement and GRANTOR shall have no liability to GRANTEE or others for any condition of the easement.

7. Termination

The GRANTOR has the right to terminate this easement if the following events occur:

1. GRANTEE fails to use the easement for a period of one (1) year or otherwise abandons it; or
2. GRANTEE fails, neglects, or refuses to perform any of the conditions or agreements herein contained 30 days after the GRANTOR has given written notice to comply.

Termination shall be effective upon issuance of written notice of termination.

In construing this instrument, whenever the context so requires, the masculine gender includes the feminine and the singular includes the plural.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed this

27th Day of September, 2005.

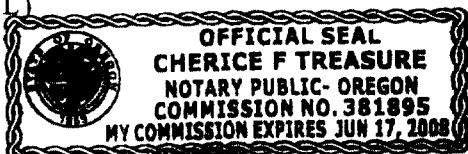
GRANTOR: William L. Hunt
Oregon Department of Forestry

GRANTEE: Nancy Marie Thompson
Hubert D. Thompson

STATE OF OREGON)
) ss.
COUNTY OF KLAMATH)

This instrument was acknowledged before me on this 27th day of September, 2005,
by Nancy Marie Thompson and Hubert D. Thompson and William L. Hunt of
Oregon Department of Forestry.

(SEAL)



Cherice F. Treasure

Notary Public for Oregon
My Commission expires 6/17/2008