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First American Title
404 Main St.
K. Falls, OR 97601

M06-04664

Klamath County, Oregon

03/15/2006 11:30:21 AM

Pages 3 Fee: \$31.00

**DRIVEWAY EASEMENT
AND MAINTENANCE AGREEMENT**

1st COLO

This Driveway Easement and Maintenance Agreement is made on the date hereinafter set forth by **Jill M. O'Neil** and **Josephine A. Johnston and Shirley A. Jarrett**, Owners of Attached "Exhibit A" and "Exhibit B" respectively, Klamath County, Oregon.

- A. Whereas the subject properties to this agreement are adjoining and share a common driveway.
- B. The owners of the described properties desire to grant to each other easements for use of the common driveway, and to enter into an agreement regarding the maintenance and repair of the common driveway.
- C. For good and valuable consideration, each Owner hereby grants to the other Owner a perpetual easement of ingress and egress over so much of their respective Parcels as is presently improved as part of a Driveway for use by vehicular traffic for access to home and shops located on herein described properties.
- D. The Owners, and their successors and/or assigns, agree to share equally in any costs to maintain an repair the portion of the Driveway used jointly by both property owners.
- E. Each owner agrees to be responsible for any loss, claim or liability arising out of such Owner's use of the easement strip and such Owner shall indemnify and defend the other Owner from any such loss, claim or liability.
- F. This Easement is appurtenant to the real property owned by the Owners as described in Exhibits A & B. Also, the right of any Owner to contribution from any other Owner under this Agreement for maintenance, repair or other expense of the common Driveway shall be appurtenant to the land and shall pass to such Owner's successors in title.
- G. This Easement shall be perpetual.

31F

Dated: 3-10-06

Owner(s) of Exhibit "A" attached

Will M. O'Neil
Will M. O'Neil

Owner(s) of Exhibit "B" attached

Josephine A. Johnston
Josephine A. Johnston

Shirley M. Jarrett
Shirley M. Jarrett

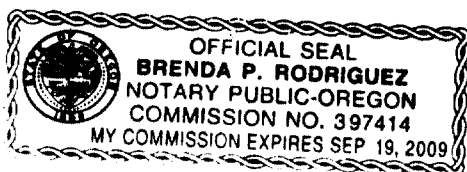
STATE OF OREGON
County of Klamath

This instrument was acknowledged before me on

By Shirley M. Jarrett

March 10, 2006
Josephine A. Johnston

Brenda P. Rodriguez
Notary Public for Oregon
My Commission expires 9-19-2009



STATE OF OREGON
County of Klamath

This instrument was acknowledged before me on

By Will M. O'Neil

March 10, 2006

Brenda P. Rodriguez
Notary Public for Oregon
My Commission expires 9-19-2009

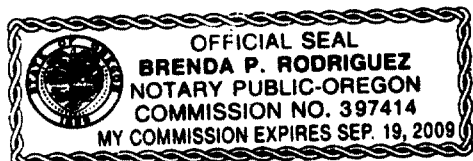


EXHIBIT "A"
(2057 Gettle)

The E $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the South line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, which point is North 88° 57' East 330.02 feet from the Southwest corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$; thence North 0° 35' West 963.8 feet along the East line of the E $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section to a point which said point is the true point of beginning of this description; thence continuing North 0° 35' West along said East line a distance of 75 feet; thence South 89° 25' West a distance of 135 feet to a point; thence South 0° 35' East a distance of 75 feet; thence North 89° 25' East 135 feet to the true point of beginning

EXHIBIT "B"
(2071 Gettle)

Beginning at a point on the South line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, which point is North 88 degrees 57' East 330.02 feet from the Southwest corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$; thence, North 0 degrees 35' West 888.80 feet along the East line of the E $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section to a point, which is the true point of beginning of this description; thence continuing North 0 degrees 35' West along said East line a distance of 75 feet; thence South 89 degrees 25' West a distance of 135 feet to a point; thence South 0 degrees 35' East a distance of 75 feet; thence North 89 degrees 25' East 135 feet to the point of beginning, being a part of said E $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon.