

2007-009746

Klamath County, Oregon



00023573200700097460060065

05/31/2007 10:32:11 AM

Fee: \$46.00

RETURN TO:
Brandsness, Brandsness & Rudd, P.C.
411 Pine Street
Klamath Falls, OR 97601

EASEMENT

THIS AGREEMENT, made and entered into this 20th day of April, 2007, by and between U.S. Bank, Successor Trustee of the Robert and Virginia Family Bypass Trust, UTA December 21, 2000, hereinafter called Grantors, Joan M. McElroy and Merle A. Jackson and Susan L. Jackson, husband and wife, hereinafter called Grantees:

W I T N E S S E T H

WHEREAS, Grantors are the record owner of the real property described on the attached Exhibit "A" in Klamath County, State of Oregon and have the unrestricted right to grant the easement hereinafter described relative to said real property.

Grantors convey to Grantees, their heirs, successors, and assigns, a perpetual non-exclusive easement across their property more particularly described on the attached Exhibit "B".

The terms of this easement are as follows:

1. Grantees, their agents, independent contractors and invitees shall use the easement for road purposes and utilities only, for access to the property described on Exhibit "C" and in conjunction with such use may construct, reconstruct, maintain and repair a road thereon and install utilities thereon. Attached hereto as Exhibit "D" is a map evidencing the easement and the dominant estate.

2. Grantors reserve the right to use, construct, reconstruct and maintain the road located upon the easement and Grantor may grant use rights for use by third parties. The parties shall cooperate during periods of joint use so that each parties' use shall cause a minimum of interference to the others, however, in case of conflict, Grantors' right of use shall be dominant.

3. Grantees agree to indemnify and defend Grantors from any loss, claim or liability to Grantors arising in any manner out of Grantees' use of the easement. Grantees assume all risks arising out of their use of the easement and Grantors shall have no liability to Grantees or others for any condition existing thereon.

4. This easement is granted for the public benefit and is appurtenant and for the benefit of the real property owned by Grantees and described on the attached Exhibit "C".

5. This easement shall be perpetual and shall not terminate for

1. EASEMENT

periods of non-use by Grantees. Said easement may be terminated upon written agreement by Grantors and Grantees, their heirs, successors and assigns. The easement will terminate if and when the property is ^{MS 4-20} ~~deeded or otherwise~~ transferred to Klamath County.

6. This easement is granted subject to all prior easements or encumbrances of record.

IN WITNESS THEREOF, the parties have caused this instrument to be executed this _____ day of _____ 2007.

GRANTOR: US Bank N.A.

Mark Gibson
By: _____
Its: AVP & Trust Officer

STATE OF Oregon)
County of Multnomah) ss. April 20, 2007.

Personally appeared, Mark Gibson, who being duly sworn, stated he/she is a Trust Officer of US Bank N.A. and that said instrument was signed on behalf of said bank by authority of its directors; and he/she acknowledged said instrument was its voluntary act and deed. Before me:

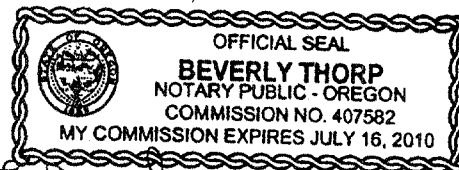
Beverly Thorp
Notary public for Oregon
My commission expires: July 16, 2010

GRANTEES:

Joan M. McElroy
Joan M. McElroy

Merle A. Jackson
Merle A. Jackson

Susan L. Jackson
Susan L. Jackson



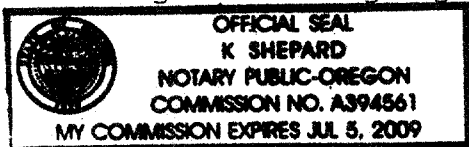
STATE OF OREGON)
County of Lane) ss. May 04, 2007.

Personally appeared Joan M. McElroy and acknowledged the foregoing to be her true act and deed. Before me:

Nick Manley
Notary public for Oregon
My commission expires: Mar. 21, 2011

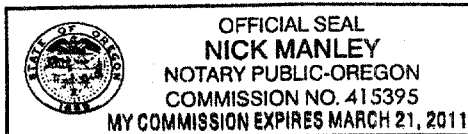
STATE OF OREGON)
County of Linn) ss. MAY 1st, 2007.

Personally appeared Merle A. Jackson and Susan L. Jackson and acknowledged the foregoing to be their true act and deed. Before me:



KSR
Notary public for Oregon
My commission expires: 7/5/09

2. EASEMENT



Property Sales

Klamath County
305 Main St, Rm 238
Klamath Falls, OR 97601

Grantor's Name and Address

Robert M. & Virginia L. Gion, Trustees
Robert & Virginia Family Bypass Trust
2411 Vermont Ave
Klamath Falls, OR 97603

Grantee's Name and Address

After recording, return to (Name, Address, Zip):
Robert M. & Virginia L. Gion, Trustees
Robert & Virginia Family Bypass Trust
2411 Vermont Ave
Klamath Falls, OR 97603

Until requested otherwise, send all tax statements to (Name, Address, Zip):

Robert M. & Virginia L. Gion, Trustees
Robert & Virginia Family Bypass Trust
2411 Vermont Ave
Klamath Falls, OR 97603

Vol M05 Page 07540

SPACE RESERVED
FOR
RECORDER'S USE

State of Oregon, County of Klamath
Recorded 02/02/05 10:37 a m
Vol M05 Pg 07540
Linda Smith, County Clerk
Fee \$ 21.00 # of Pgs 1

05 FEB 2 10:37

QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS that Klamath County, a political subdivision of the State of Oregon hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and forever quitclaim unto Robert M. Gion and Virginia L. Gion, Trustees, of the Robert and Virginia Family Bypass Trust UTA 12/21/00, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of the grantor's right, title and interest in that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

A 16 foot road extending along the line separating the E½ SE¼ of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, from the W½ SE¼ of said Section 1, said 16 foot road lying Easterly from and adjoining said line and extending from the Dalles-California Highway Northerly to North Line of said SE¼ of said Section 1, said Township and Range.

Subject to covenants, conditions, reservations, easements, restrictions, rights, rights of way and all matters appearing of record.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0.00. ^{However, the actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☐ the whole (indicate which) consideration. (The sentence between the symbols, if not applicable, should be deleted. See ORS 89.030.)}

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on Feb 1, 2005; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

William A. Switzer
William A. Switzer, Chairman of the Board

William R. Brown
William R. Brown, County Commissioner

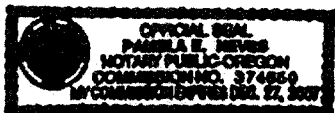
John W. Elliott
John W. Elliott, County Commissioner

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on _____

by _____

This instrument was acknowledged before me on February 1, 2005
by William A. Switzer, Chairman, William R. Brown and John W. Elliott
as County Commissioners, a political subdivision
of the State of Oregon



Pamela R. Neves
Notary Public for Oregon

My commission expires 12/22/07

EXHIBIT " A "

TRU SURVEYING, INC. LINE

2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603
PHONE: (541) 884-3691

DENNIS A ENSOR O.L.S

JOHN HEATON L.S.I.T.

September 13, 2006

Legal Description

A 16 foot wide strip of land being a portion of that tract of land described in deed volume M05 page 07540 of the Klamath County deed records, situated in the SE1/4 SE1/4 of section 1, T39S, R9EWM, Klamath County, Oregon, being more particularly described as follows:

The Westerly 16 feet of said SE1/4 SE1/4 of section 1 lying Northerly of the Dalles-California Highway and Southerly of the Easterly extension of the South line of that tract of land described in deed volume M04 page 28,152 of the Klamath County deed records.

Dennis A. Ensor

Dennis A. Ensor

O.L.S 2442

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Dennis A. Ensor.

OREGON
JULY 25, 1980
DENNIS A. ENSOR
2442

Expires 12/31/2007

EXHIBIT " B "

A parcel of land located in Klamath County described as follows:

A tract of land situate in the W½SE¼ of Section 1 Township 30 South, Range 9 East of the Willamette Meridian, and being more particularly described as follows:

Beginning at the Southeast corner of said W½SE¼, thence North 0°27' West 77.7 feet; thence North 46°07' West 226 feet to an iron pipe on the Northerly right of way line of the Enterprise Irrigation Canal thence North 43°00' East 133.00 feet to the true point of beginning; thence North 47°11'40" West 94.00 feet; thence North 13°33'30" West 165.21 feet; thence South 82°39' West 64.60 feet; thence North 8°33'40" West 594.27 feet; thence North 68°31' East 224.76 feet; thence North 88°02' East 120.00 feet; thence South 0°27' East 875.00 feet more or less to a point due east of the point of beginning; thence due West to the point of beginning.

Exhibit "C"

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SW 1/4 SE 1/4 SEC. 01 T.39S. R.09E. W.M.
KLAMATH COUNTY

39 09 01DC

EXHIBIT "D"

M03- pg. 59207
M04- pg. 28152
M05- pg. 07540
1/2 quit claim to Gion

top 1/2

