

2007-016192

Klamath County, Oregon



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09/14/2007 02:28:01 PM

Fee: \$36.00

**AGREEMENT TO EXTINGUISH EASEMENT
On Parcel 3 of Land Partition 37-97
405 WATER STREET
MERRILL, OREGON 97633**

This agreement is dated 22nd day of June, 2007 between:

Carrol J. and Betty L. Scronce
P O Box 107
Merrill, Oregon 97633
Owner of Parcel 1 Land Partition 37-97
401 Water Street, Merrill, OR 97633

and

Irene Hernandez
P O Box 118
Merrill, Oregon 97633
Owner of Parcel 2 of Land Partition 37-97
403 Water Street, Merrill, OR 97633

Current mailing address: 293 Shasta Drive, Apt. 138
Vacaville, California 96687

and

Gary R Robeson
P O Box 768
Merrill, Oregon 97633
Owner of Parcel 3 of Land Partition 37-97
405 Water Street, Merrill, OR 97633

It is a general rule of common law that an easement may be terminated when the holder (s) of an easement releases his or her rights in the easement to the owner of the servient estate. The release must be in writing.

WHEREAS, on the 28th of July 1997, Carrol J. Scronce and Betty L. Scronce, as Tenants by the Entirety, owners of Land Partition 37-97, being of Lot 6 of Tract 1142 – BURKE PLACE and a portion of Lot 55, MERRILL TRACTS, situated in the NE ¼ of Section 11, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon did create for themselves and their heirs and assigns the 16 foot wide non-exclusive easement for ingress/egress and public utilities to parcels 1,2, and 3 shown of the face of said Land Partition 37-97 filed by Klamath County Clerk on 25 September 1997.

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On Parcel 3 of Land Partition 37-97

Returned @ County

36-

A review of said document reveals that said 16 foot easement runs along the westerly 16 feet of parcels 1, 2, and 3.

WHEREAS, Parcel 1 is owned by Carrol J. and Betty J. Sconce, and Parcel 2 is now owned by Irene Hernandez and Parcel 3 is now owned by Gary R. Robeson, these three owners are now the parties to the certain easement over, under and across the West 16 feet of Parcel 3 of Land Partition 37-97 described above.

WHEREAS, the parties hereto wish to extinguish the 16 foot easement over, under and over, under or across the Westerly 16 feet of Parcel 3. The owner of Parcel 1, Carrol J. and Betty L. Scronce and the owner of Parcel 2 Irene Hernandez, hereby relinquish all interest in and to that certain westerly 16 foot wide easement of Parcel 3 now owned by Gary R. Robeson.

THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, the parties hereby agree that the certain 16 foot wide easement over under and across Parcel 3 for ingress, egress and public utilities of Land Partition 37-97 as described above shall be forever terminated and extinguished for all purposes at the time this agreement is signed by the parties. All rights of any nature related directly or indirectly to the Easement on Parcel 3 shall be forever terminated at this time.

Carrol J. Scronce and Betty L. Scronce
Carrol J Scronce and Betty L. Scronce

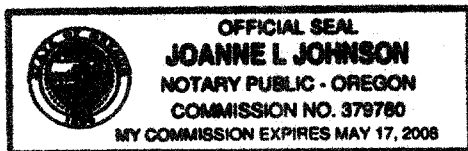
Irene Hernandez
Irene Hernandez

Gary R. Robeson
Gary R. Robeson

STATE OF OREGON)
) ss.
County of Klamath)

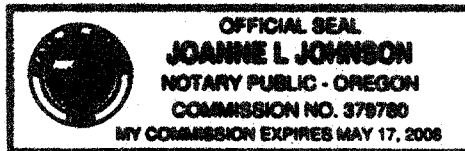
Personally appeared before me the above-named Carrol J. Scronce and acknowledged the forgoing to be his voluntary act and deed this 7 day of June 2007.

Joanne L Johnson
Notary Public for Oregon
My Commission Expires:



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On Parcel 3 Land Partition 37-97

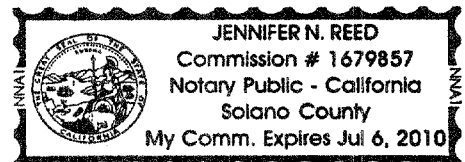
STATE OF OREGON)
) ss.
County of Klamath)



Personally appeared before me the above-named Betty L. Scronce and acknowledged the forgoing to be her voluntary act and deed this 7 day of June 2007.

Joanne L. Johnson
Notary Public for Oregon
My Commission Expires:

STATE OF CALIFORNIA)
) ss.
County of SOLANO)



Personally appeared before me the above-named Irene Hernandez and acknowledged the forgoing to be her voluntary act and deed this 22 day of JUNE, 2007.

Jennifer N. Reed
Notary Public for California
My commission Expires: 7-6-2010

STATE OF OREGON)
) ss.
County of Klamath)



Personally appeared before me the above-named Gary R. Robeson and acknowledged the forgoing to be his voluntary act and deed this 14 day of JUNE, 2007.

Joanne L. Johnson
Notary Public for Oregon
My Commission Expires: May 17, 2008

Approvals:

Approved by *Jim Saunders* Date: 9/13/07
Chairman Merrill Planning Commission

Approved by *Samantha Saunders* Date: 9/13/07
City of Merrill Recorder

Filed for Record this _____ day of _____ 2007

_____ by _____
Klamath County Clerk Deputy

AFTER RECORDING RETURN TO: GARY ROBESON
PO BOX 768 MERRIL, OR 97633