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NTE81170-MS

After recording return to:

Melvin D. Ferguson
Attorney at Law
514 Walnut Avenue
Klamath Falls, Oregon 97601

2008-000255

Klamath County, Oregon



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01/07/2008 03:25:35 PM

Fee: \$26.00

ENCROACHMENT EASEMENT

Amy Gowan, Grantor, of Klamath County, Oregon, owner of the following described property located in Klamath County, Oregon:

Lot 3, Block 38, TRACT No. 1084, SIXTH ADDITION TO KLAMATH RIVER ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

Tax Account No. 3907-025DO-00600-000
Key No. 488396

hereby conveys and grants to Richard M. Perez and Jacqueline Perez, husband and wife, as tenants by the entirety, Grantees, an easement for access to and use of a pole barn and hay shed located on the following described property:

An encroachment easement being a portion of Lot 3 of "Tract No. 1084- Sixth Addition to Klamath River Acres", situated in the SE 1/4 of Section 25, T39S, R7EWM, Klamath County, Oregon, being more particularly described as follows:

Beginning at the Northwest corner of said Lot 3; thence S08°15'00"W, along the West line of said Lot 3, 165.47 feet; thence N53°36'04"E 42.77 feet; thence N22°48'03"E 94.40 feet to a point on the Southwesterly right of way line of Bald Eagle Court; thence, along the said right of way line, N36°15'00"W 26.55 feet and on the arc of a curve to the left (Radius equals 122.14 feet and central angle equals 20°31'16") 43.75 feet to the point of beginning, with bearings based on the plat of said "Tract No. 1084 - Sixth Addition to Klamath River Acres" on file at the office of the Klamath County Clerk.

This easement is for the benefit of and appurtenant to the following described real property, adjacent to it owned by Grantees, to wit:

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26 JAN 11

Lot 2 Block 38, TRACT No. 1084, SIXTH ADDITION TO KLAMATH RIVER
ACRES, according to the official plat thereof on file in the office of the County
Clerk of Klamath County, Oregon.

Tax Account No. 3907-025DO-00700-000
Key No. 488387

This easement, except to the extent the pole barn and hay shed occupy Grantor's land shall not affect or limit the use by Grantor of her land in any way as long as that use does not undermine, overburden or affect Grantees access to and use of the pole barn and hay shed. Grantees at their own cost and expense, will repair and maintain, in a proper useable, and workmanlike manner the pole barn and hay shed. This easement shall remain in force and effect only as long as the pole barn and hay shed remain standing. On destruction or removal of the pole barn and hay shed, all rights of Grantees hereunder shall cease.

The easement described in this instrument is to and shall run with the land, and shall be for the benefit and use of Grantees, owners of the adjacent real property described above (Lot 2), and to their heirs, successors and assigns.

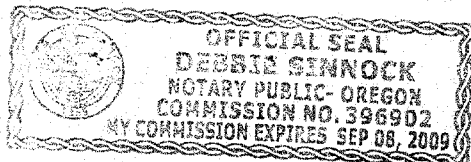
Dated this 7th day of JANUARY, 2008.

GRANTOR:

Amy Gowan
Amy Gowan

STATE OF OREGON)
) ss.
County of Klamath)

This instrument was acknowledged before me on 1-7-, 2008, by
Amy Gowan.



Debbie Sinnock
Notary Public - State of Oregon
My commission expires: 9-8-09