

Recording Requested By:
Aspen Title & Escrow, Inc.
525 Main Street
Klamath Falls, OR 97601

2008-008164
Klamath County, Oregon



00047414200800081640070070

When Recorded Return To:

06/04/2008 03:33:37 PM

Fee: \$51.00

Aspen Title & Escrow, Inc.
525 Main Street
Klamath Falls, OR 97601

Until requested otherwise, send all tax statements:

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

ATE = 65646

COVER SHEET

DOCUMENT: *Easement*

GRANTOR

TRUSTEE:

GRANTEE:

*} Between: Scott G. Smith and Lori Ann Smith et al
and James B. Court and Linda M. Court et al*

CONSIDERATION:

\$ 0

DATE:

6/2/08

LEGAL DESCRIPTION: *See Attached*

EASEMENT

Between
Scott G. Smith and Lori Ann Smith et al

And
James B. Court and Linda M. Court et al

After recording, return to:
Scott G. Smith and Lori Ann Smith
7316 Reeder Rd
Klamath Falls, oR 97603

This EASEMENT isa to clarify and establish an existing road easement between the following parties and to grant to each other the rights of access and utilities along the 60 foot wide road easement for consideration of mutual benefits.

WHEREAS: JAMES B. COURT and LINDA M. COURT, husband and wife, referred hereinafter as COURT are the owners in fee title to Parcel 1 attached hereto, and have the right to grant the easement for consideration of mutual benefits;

WHEREAS: HERBERT O. MATHIS and TERESA L. MATHIS, husband and wife, referred hereinafter as MATHIS are the owners in fee title to Parcel 2 attached hereto, and have the right to grant the easement hereinafter described relative to the real estate;

WHEREAS, SCOTT G. SMITH and LORI ANN SMITH, husband and wife, referred hereinafter as SMITH are the owners in fee title to Parcel 3 attached hereto, and have the right to grant the easement hereinafter described relative to the real estate;

WHEREAS, THOMAS W. SEARCH and SHANNON L. SEARCH, husband and wife, referred hereinafter as SEARCH are the owners in fee title to Parcel 4 attached hereto, and have the right to grant the easement hereinafter described relative to the real estate;

WHEREAS, THOMAS J. CONWAY and MARY L. CONWAY, husband and wife referred hereinafter as CONWAY are the owners in fee title to Parcel 5 attached hereto, and have the right to grant the easement hereinafter described relative to the real estate.

NOW, THEREFORE, in consideration of mutual benefit by each party, COURT, MATHIS, SMITH, SEARCH and CONWAY each grant to each other a non-exclusive easement for road purposes and for public utilities over, across and through a stip of land 60.0 feet in width, the centerline of which is described as follows:

Beginning at a point which is 1396.34 feet North abd 1134.54 feet West of the Southeast corner of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, and running thence East 1134.54 feet to the West right of way of the county road known as Reeder Road.

All parties shall have all rights of ingress and egrress to and from the real estate(including the right from time to time, except as hereinafter provided, to cut, trim and remove trees, brush, overhanging branches and othe obstructions) necessary for each parties to use, enjoyment, operation andmaintenance of the easement hereby granted all rights and privileges incident thereto.

Each party agrees to save and hold each other party harmless from any and all claims of third parties arising from each party's use of the rights herein granted.

This easement shall be perpetual. During the existence of this easement, maintenance and repair of the easement shall be shared equally by all parties using said easement, unless by negligence or abnormal use said easement is damaged, then the party responsible shall also be responsible for repairs at their sole expense.

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the parties hereto, but also their respective heirs, executors, administrators, assigns, and successors in interest.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate on the _____ day of _____, 2008.

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel 1

A tract of land situated in the NE1/4 of the SE1/4 of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon and being more particularly described as follows:

Beginning at an iron pipe which is 1605.05 feet North and 30.00 feet West of the Southeast corner of Section 19, Township 39 South, Range 10 East of the Willamette Meridian and running thence West 208.71 feet; thence South 208.71 feet; thence East 208.71 feet; thence North 208.71 feet to the point of beginning, EXCEPTING THEREFROM the South 30 feet used for county road purposes.

Tax Account No:3910-019D0-00900-000 Key No:598632

Parcel 2

A parcel of land located in the SE1/4 of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point 1396.34 feet North and 238.71 feet West from the Southeast corner of said Section 19, said point also being the Northeast corner of a parcel of land described in Volume M71, page 7475, Microfilm Records of Klamath County, Oregon, thence West, along the North boundary of said parcel 223.96 feet; thence North, 429.26 feet to the South boundary of the U.S.B.R. No. 2 Drain; thence South 87° 56' East, along said drain boundary, 224.11 feet to the Northwest corner of a parcel of land described in Deed Volume 341, page 154, Deed Records of Klamath County, Oregon; thence South 421.18 feet to the point of beginning.

TOGETHER WITH an easement for access to the above described property over a strip of land 60.0 feet in width, the centerline of which is described as follows: Beginning at a point which is 1396.34 feet North and 903.42 feet West of the Southeast corner of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, and running thence East 903.42 feet to the West right of way of the county road known as Reeder Road.

Parcel 3

A tract of land situate in the NE 1/4 of the SE 1/4 of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, and being more particularly described as follows:

Beginning at an iron pipe from which the Southeast corner of the SE 1/4 of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, bears East 462.67 feet and South 1425.41 feet distant; thence West 223.96 feet to an iron pipe; thence North 407.21 feet to the Southerly right of way of the U.S.B.R. #2 Drain; thence South 87° 56' East along said right of way 224.10 feet; thence South 399.20 feet to the point of beginning.

CODE 170 MAP 3910-019D0 TL 00600 KEY #598589

Parcel 4

Exhibit A

A portion of the SE 1/4 of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point 1396.34 feet North and 238.71 feet West of the Southeast corner of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, being the Northwest corner of that parcel of land conveyed to William T. Hall and Betty J. Hall by deed recorded November 24, 1965 in Book M-65 at Page 4216, Microfilm Records; thence West 443.15 feet; thence South 330.19 feet to the South line of the Parcel described in Deed recorded November 10, 1969 in Book M-69 at Page 9420, Microfilm Records of Klamath County, Oregon; thence North 87° 09' East 443.60 feet to a point due South of the point of beginning; thence North 308.12 feet to the point of beginning.

TOGETHER WITH an easement for access to the above described property over a strip of land 68.0 feet in width, the center line of which is described as follows:

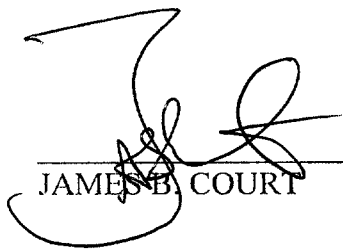
Beginning at a point which is 1396.34 feet North and 903.42 feet West of the Southeast corner of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, and running thence East 903.42 feet to the West right of way of the county road known as Reeder Road, recorded July 16, 1971 in Book M-71 at Page 7475.

EXCEPT that portion lying within the county road.


Parcel 5

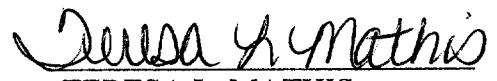
A TRACT OF LAND SITUATE IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 39 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF KLAMATH, STATE OF OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIPE WHICH IS 1396.34 FEET NORTH AND 30.00 FEET WEST OF THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 39 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, AND RUNNING THENCE WEST 208.71 FEET; THENCE SOUTH 208.71 FEET; THENCE EAST 208.71 FEET; THENCE NORTH 208.71 FEET TO THE POINT OF BEGINNING. SITUATED IN THE COUNTY OF KLAMATH THE STATE OF OREGON.

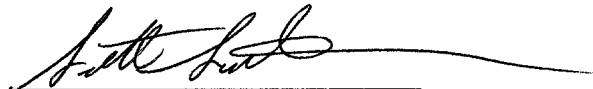
SIGNATURE PAGE


JAMES B. COURT


LINDA M. COURT


HERBERT O. MATHIS

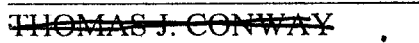

TERESA L. MATHIS

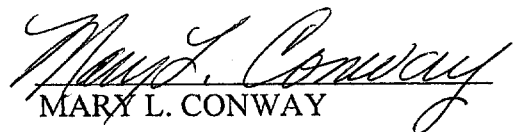

SCOTT G. SMITH


LORI ANN SMITH


THOMAS W. SEARCH


SHANNON L. SEARCH


THOMAS J. CONWAY

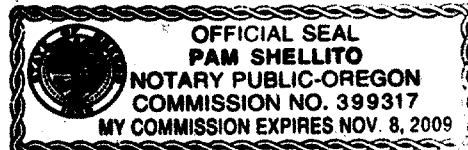

MARY L. CONWAY

NOTARY ACKNOWLEDGEMENT

STATE OF Oregon
County of Klamath ss.

On May 15, 2008, personally appeared James B. Court; Linda M. Court
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Pam Shellito
Notary Public for Oregon
My commission expires: Nov 8, 2009



STATE OF Oregon
County of Klamath ss.

On May 19, 2008, personally appeared Thomas W. Search and Shannon L. Search
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Pam Shellito
Notary Public for Oregon
My commission expires: Nov 8, 2009



STATE OF Oregon
County of Klamath ss.

On May 23, 2008, personally appeared Teresa L. Mathis
and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me: Pam Shellito
Notary Public for Oregon
My commission expires: Nov 8, 2009

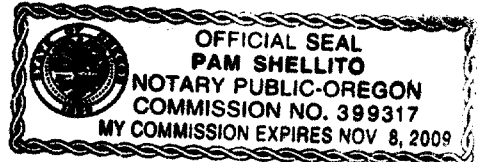


NOTARY ACKNOWLEDGEMENT

STATE OF Oregon
County of Klamath ss.

On May 23, 2008, personally appeared Herbert O. Mathis
and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: Pam Shellito
Notary Public for Oregon
My commission expires: Nov 8, 2009



STATE OF Oregon
County of Klamath ss.

On May 29, 2008, personally appeared Mary L. Convey
and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me: Pam Shellito
Notary Public for Oregon
My commission expires: Nov 8, 2009



STATE OF Oregon
County of Klamath ss.

On May 30, 2008 personally appeared Scott G. Smith & Lori Ann Smith
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Pam Shellito
Notary Public for Oregon
My commission expires: Nov 8, 2009

