

After Recording Return to:

James T. Chaffin
26095 Perkins Road
Veneta, Oregon 97487

2008-008244
Klamath County, Oregon



06/06/2008 11:30:32 AM

Fee: \$41.00

CHAFFIN / PARADISE HILL EASEMENT AGREEMENT

James T. Chaffin and Shauna R. Chaffin their heirs, assigns and successors, henceforth, "Party A" being the owner of the following real property, 48 acres more-or-less: That portion of Lot 6 of Section 36, Township 37 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, and that adjacent portion of Lot 6, Section 31, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying Southeasterly of Shady Pine Road; tax account numbers 3708-03600-00301-000 and 3709-03100-00901-000, respectively.

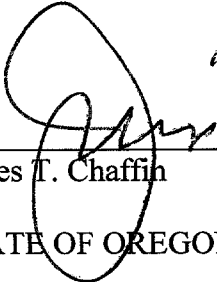
AND, Paradise Hill Homeowners Association, Inc., its assigns and successors, henceforth, "Party B", being the owner of the roadways and fire protection ponds within, and for the benefit of, Paradise Hill developments including Paradise Hill Subdivision - Tract 1316, Gray Rock Subdivision - Tracts 1374, 1424, 1460, 1475, 1476, 1477 and Troubador Trail Subdivision - Tract 1360, as shown in the records of the Klamath County Clerk, Klamath County, Oregon.

WHEREFORE, and in consideration of the agreements contained herein, the parties hereto agree as follows:

1. Party "A" (James T. Chaffin and Shauna R. Chaffin) hereby grants to "Party B" a permanent, non-exclusive easement for the purposes of Paradise Hill development ingress, egress, road and utility placement and maintenance, 60 feet in width plus slope easements for road maintenance purposes, as described in Exhibits "1" and "2", attached, said road and slopes being already constructed to Klamath County rural subdivision standards; provided further that Party "A" may not install gates, fences or other impediments to access;
2. "Party B" (Paradise Hill Homeowners Association, Inc.) hereby grants to Party "A" a permanent, non-exclusive easement for the purposes of ingress, egress and utilities on all roads which are now, per Exhibit 2 map, or which become under the control of "Party B"; provided further that Party "B" may not install gates, fences or other impediments to access other than "gated community" gates at Shady Pine Road and Uhrmann Road entrances and Party "A" is hereby granted full, perpetual access rights and privileges through said community gates.
3. "Party B" (Paradise Hill Homeowners Association, Inc.) does hereby also grant to Party "A" a permanent, non-exclusive easement for and to Klamath County Fire District #1 and/or their successor(s), to provide fire protection water to Party "A" 's property from the fire protection ponds under the ownership and maintenance of Party B. Said fire protection ponds being located on Lot 1-Tract 1360, Lot 45-Tract 1460 and at the junction of Peregrine Heights and Uhrmann Roads, shown on the attached map, Exhibit 2.
4. All these easements are created for the benefit of the respective lands referred to, herein, and run with the lands.

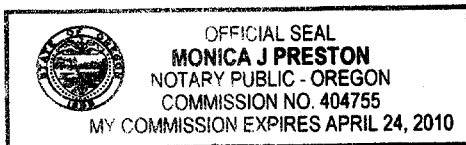
AMERITITLE has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

5. The parties hereto acknowledge and agree that Chaffin's 48-acre property, described above, is not in, nor part of the Paradise Hill Homeowners Association, nor bound by any of it's CC&R's or it's maintenance fees nor responsible for any Paradise Hill Homeowner Association costs.
6. This CHAFFIN / PARADISE HILL EASEMENT AGREEMENT, to be valid, must be signed before a notary by each of (all) the parties shown below and recorded in the Klamath County Clerk Records before 5:00 pm September 26, 2006. Otherwise this Easement Agreement becomes null and void at that same time and date.


James T. Chaffin

STATE OF OREGON, County of Lane) ss.

SUBSCRIBED AND SWORN to before me this 30 day of May, 2006




Notary Public for Oregon

My Commission Expires: April 24 2010




Mark R. Wendt, President, Paradise Hill Homeowners Association, Inc.



STATE OF OREGON, County of Klamath) ss.

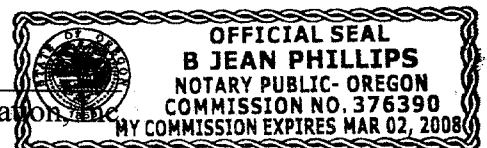
SUBSCRIBED AND SWORN to before me this 22 day of August, 2006


Notary Public for Oregon

My Commission Expires: 3-2-08

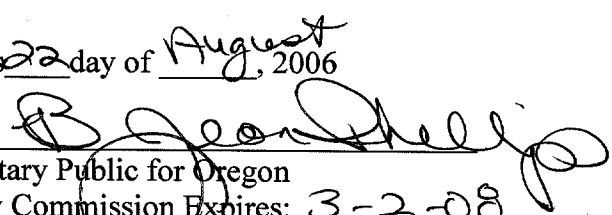


Lillie L. Goodson, Secretary, Paradise Hill Homeowners Association, Inc.



STATE OF OREGON, County of Klamath) ss.

SUBSCRIBED AND SWORN to before me this 22 day of August, 2006

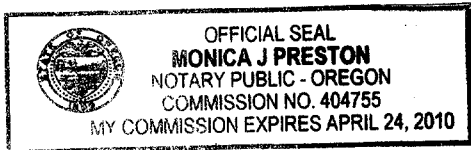

Notary Public for Oregon

My Commission Expires: 3-2-08

Shauna R. Chaffin
Shauna R. Chaffin

STATE OF OREGON, County of Lane) ss.

SUBSCRIBED AND SWORN to before me this 30 day of May, 2006 ^{88 sc}



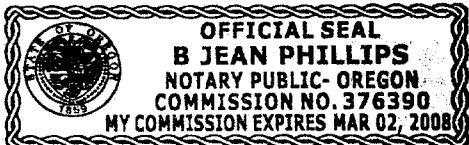
Monica J. Preston
Notary Public for Oregon
My Commission Expires: April 24 2010

L. Frank Goodson

L. Frank Goodson, Vice-president, Paradise Hill Homeowners Association, Inc.

STATE OF OREGON, County of Klamath) ss.

SUBSCRIBED AND SWORN to before me this 22nd day of August, 2006



B. Jean Phillips
Notary Public for Oregon
My Commission Expires: 3-2-08

Exhibit 1

Easement Description for Hanks Marsh Vista Right of Way & Utilities
Across Tax Lot R-3709-003100-00901

A strip of land 60.00 feet in width situated in the SW¼ of Section 31, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being 30.00 feet on each side of the following described centerline:

Beginning at a point on the south line of said SW¼ of Section 31 from which the southwest corner thereof bears North 89°49'45" West 371.08 feet; thence leaving said south line North 00°29'53" West 1.87 feet; thence 95.30 feet of a 400.00 foot radius curve to the right having a delta angle of 13°39'05", the long chord of which bears North 06°19'39" East 95.08 feet; thence North 13°09'12" East 679.38 feet; thence 62.30 feet on the arc of a 400.00 radius curve to the right having a delta angle of 08°55'24", the long chord of which bears North 17°36'53" East 62.23 feet; thence North 22°04'35" East 169.91 feet; thence 82.76 feet on the arc of a 400.00 radius curve to the right having a delta angle of 11°51'18", the long chord of which bears North 28°00'14" East 82.62 feet; thence North 33°54'55" East 184.85 feet; thence 52.11 feet on the arc of a 400.00 foot radius curve to the right having a delta angle of 07°27'50", the long chord of which bears North 37°39'49" East 52.07 feet; thence North 41°23'44" East 91.77 feet to the north line of said SW ¼ of Section 31 from which the northeast corner thereof bears South 89°53'15" East 608.20 feet; the sidelines of said strip to be shortened or extended to terminate on the beginning and ending lines, said strip containing 1.96 acres, with bearings based on the Plat of Tract 1316 – Paradise Hill.

Easement Description for Slopes on East Side of Hanks Marsh Vista Road
Across Tax Lot R-3709-003100-00901

A strip of land varying in width situated in the SW¼ of Section 31, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the south line of said SW¼ of Section 31 from which the southwest corner thereof bears North 89°49'45" West 401.08 feet; thence leaving said south line North 00°29'53" West 2.22 feet; thence 88.16 feet of a 370.00 foot radius curve to the right having a delta angle of 13°39'05", the long chord of which bears North 06°19'39" East 87.95 feet; thence North 13°09'12" East 679.38 feet; thence 57.62 feet on the arc of a 370.00 radius curve to the right having a delta angle of 08°55'24", the long chord of which bears North 17°36'53" East 57.57 feet; thence North 22°04'35" East 169.91 feet; thence 76.56 feet on the arc of a 370.00 radius curve to the right having a delta angle of 11°51'18", the long chord of which bears North 28°00'14" East 76.42 feet; thence North 33°54'55" East 160.86 feet; thence South 56°05'05" East; thence South 25°04'47" West 107.64 feet; thence South 28°13'16" West 137.35 feet; thence South 28°09'04" West 134.43 feet; thence South 17°16'05" West 112.94 feet; thence South 08°17'48" West 178.87 feet; thence South 16°47'44" West 186.56 feet; thence South 13°32'47" West 192.73 feet; thence South 08°54'06" West 178.80 feet to the south line of said SW¼ of Section 31; thence along said south line North 89°49'47" West 11.13 feet to the point of beginning, containing 0.37 acres, with bearings based on the Plat of Tract 1316 – Paradise Hill.

May 25, 2006

1909-0205

CHAFFIN / PARADISE HILL EASEMENT AGREEMENT

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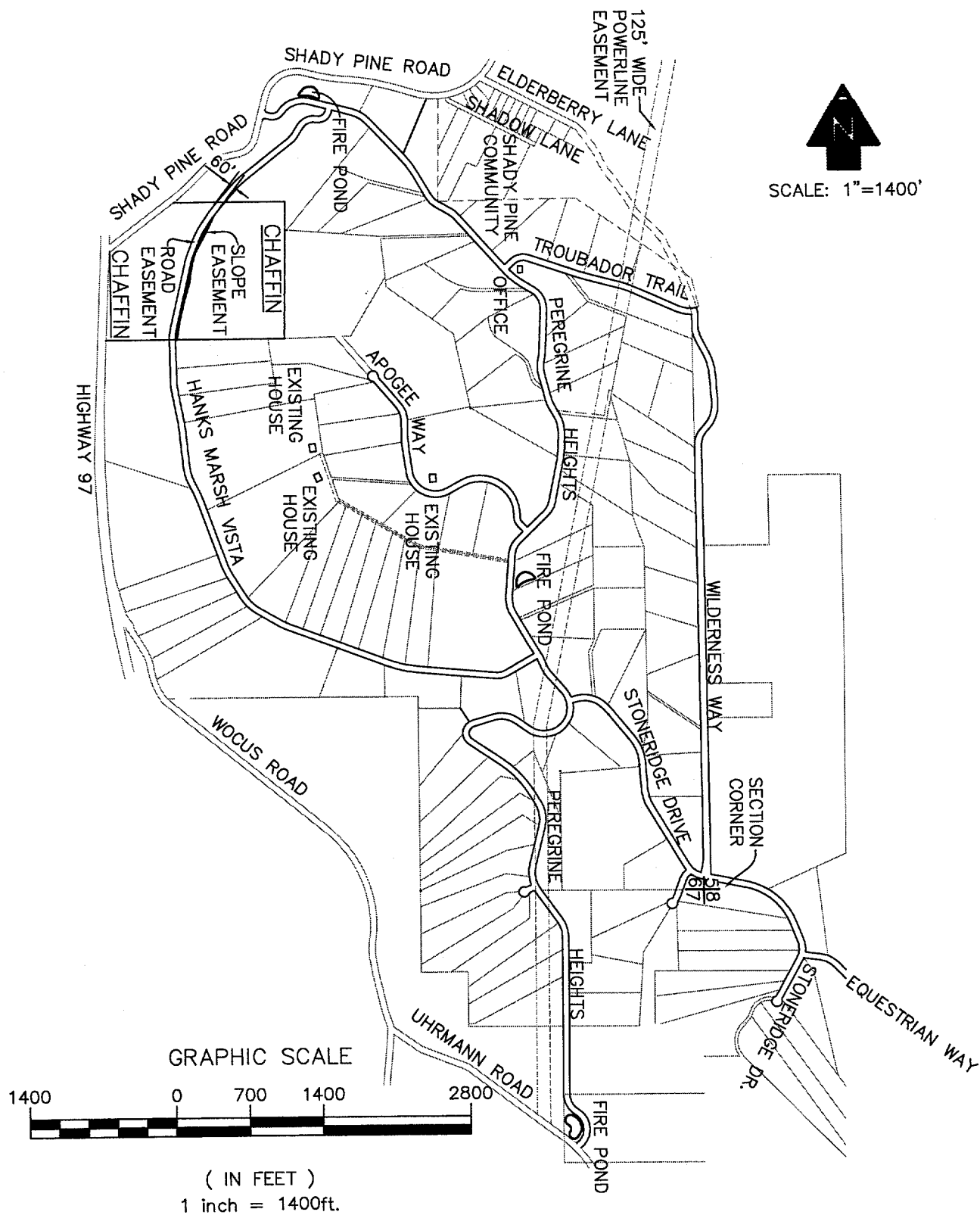


EXHIBIT 2

PARADISE HILL: ROADS AND FIRE PONDS



Engineers ▲ Planners ▲ Surveyors
2950 Shasta Way · Klamath Falls, Oregon 97603
(541) 884-4666 · FAX (541) 884-5335 COPYRIGHT © 2005

FILE NAME:	ROADS & PONDS
ACE JOB No:	1909-05
SCALE:	1"=1400'
DATE:	8-22-06
DESIGNED BY:	MDR
DRAWN BY:	MDR
CHECKED BY:	DA
SHEET:	1 of 1