

Returned to County  
Return to  
Christy Melaren.

2008-012986

Klamath County, Oregon



00053360200800129860050058

09/17/2008 12:53:08 PM

Fee: \$41.00

AFTER RECORDING, RETURN TO:  
Karen Smith  
Resort Resources, Inc.  
P. O. Box 1466  
Bend, OR 97709

MAILBOX EASEMENT

DATED: August 12, 2008

BETWEEN: **RUNNING Y RESORT, INC.**, an Oregon corporation  
5115 Running Y Road  
Klamath Falls, OR 97601

**"Grantor"**

AND: **RUNNING Y RANCH RESORT OWNERS ASSOCIATION**, an  
Oregon nonprofit corporation  
5115 Running Y Road  
Klamath Falls, OR 97601

**"Grantee"**

Grantor is the developer of a destination resort known as Running Y Ranch Resort located in Klamath County, Oregon and is the owner of certain real property located within Running Y Ranch Resort. Grantee is the owner of certain roads and common area located within Running Y Ranch Resort. Grantee desires to have an easement over a portion of Grantor's property as further described in the attached **Exhibit A** (the **"Mailbox Easement"**) to operate and maintain a mailbox facility.

**NOW, THEREFORE**, in consideration of the mutual promises contained herein, the parties agree as follows:

1. Grantor grants to Grantee a permanent, exclusive easement to maintain and operate a mailbox facility on the Mailbox Easement as described in the attached Exhibit A. Grantee accepts the responsibility for maintenance of the installed mailbox facilities including the U.S. Postal Service approved mailboxes, related lighting and roofing to cover the mailboxes, and associated concrete and asphalt for walkways and vehicle access.
2. Grantee shall hold Grantor harmless from any liability related to Grantee's use, operation and maintenance of the facilities located on the Mailbox Easement.
3. Grantee shall not erect any additional structures on the Mailbox Easement without the prior written approval by Grantor.
4. In consideration of the easement granted herein, Grantee agrees to pay mailbox facility operating costs and to maintain the mailbox facility and Mailbox Easement in good operating condition at all times at its sole cost and expense. Grantee has no right to require that the Mailbox Easement be further improved or maintained to accommodate its use of the Mailbox Easement.

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5. Grantee agrees to pay any expenses relating to the granting of this easement, including but not limited to, professional fees for document preparation, surveying, recording and other related expenses.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Mailbox Easement as of the day and year set forth above.

GRANTOR:

RUNNING Y RESORT, INC., an Oregon corporation

BY Jerol E. Andres  
Its President

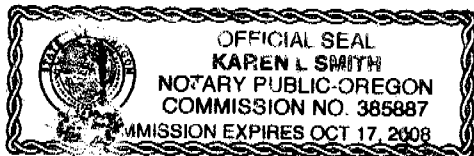
GRANTEE:

RUNNING Y RANCH RESORT OWNERS ASSOCIATION, an Oregon nonprofit corporation

BY John L. Antorn  
Its President

STATE OF OREGON )  
COUNTY OF Deschutes ) ss.

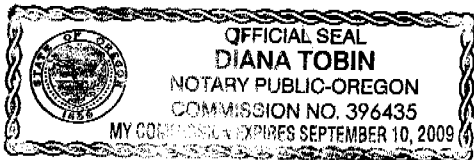
This instrument was acknowledged before me on August 12, 2008 by Jerol E. Andres as President of Running Y Resort, Inc.



Karen L. Smith  
Notary Public for Oregon  
My Commission expires: 10-17-2008

STATE OF OREGON )  
COUNTY OF Jackson ) ss.

This instrument was acknowledged before me on Sept. 11, 2008 by JOHN L. ANTORN as President of Running Y Ranch Resort Owners Association.



Diana Tobin  
Notary Public for Oregon  
My Commission expires: Sept. 10, 2009



1004 Main Street  
Klamath Falls, Oregon 97601-5813  
541.884.3042  
Fax 541.885.2105

JUNE 7, 2007

RUNNING Y RESORT, TRACT 1324  
MAILBOX SITE EASEMENT (NEAR GOLF MAINT. BLDG.) PROJECT NO. 34383

**EXHIBIT "A"**

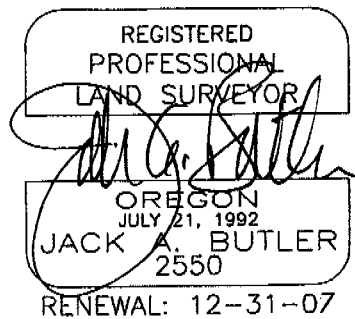
A PARCEL OF LAND BEING PART OF PARCEL 1 OF PARTITION PLAT NO. 60 – 94 AND LYING IN THE GOLF COURSE AREA WITHIN RUNNING Y RESORT, LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 9, TOWNSHIP 38 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE MOST SOUTHERLY CORNER OF LOT 269 OF TRACT 1324, RUNNING Y RESORT, PHASE 3, SAID CORNER BEING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COOPER'S HAWK ROAD, 40.00 FEET FROM CENTERLINE WHEN MEASURED PERPENDICULAR TO SAID CENTERLINE, THENCE SOUTH  $53^{\circ}49'01''$  EAST, 80.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH  $36^{\circ}10'59''$  WEST, 45.58 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 790.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF  $14^{\circ}09'41''$ , AN ARC LENGTH OF 195.26 FEET (THE LONG CHORD OF WHICH BEARS SOUTH  $43^{\circ}15'50''$  WEST, 194.76 FEET) TO THE **POINT OF BEGINNING**. THENCE LEAVING SAID RIGHT-OF-WAY LINE, SOUTH  $30^{\circ}11'00''$  EAST, 84.89 FEET; THENCE SOUTH  $59^{\circ}49'00''$  WEST, 48.09 FEET TO POINT OF CURVATURE; THENCE ALONG THE ARC OF A 51.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF  $42^{\circ}16'30''$ , AN ARC LENGTH OF 37.63 FEET (THE LONG CHORD OF WHICH BEARS SOUTH  $80^{\circ}57'15''$  WEST, 36.78 FEET) TO A POINT OF TANGENCY; THENCE NORTH  $77^{\circ}54'30''$  WEST, 90.83 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF COOPER'S HAWK ROAD, 40.00 FEET FROM CENTERLINE WHEN MEASURED PERPENDICULAR TO SAID CENTERLINE; THENCE ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF A 790.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF  $13^{\circ}17'09''$ , AN ARC LENGTH OF 183.19 FEET (THE LONG CHORD OF

WHICH BEARS NORTH 56°59'15" EAST, 182.78 FEET) TO THE POINT OF BEGINNING.

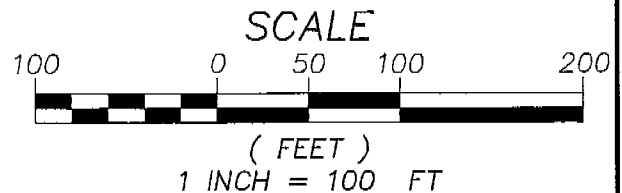
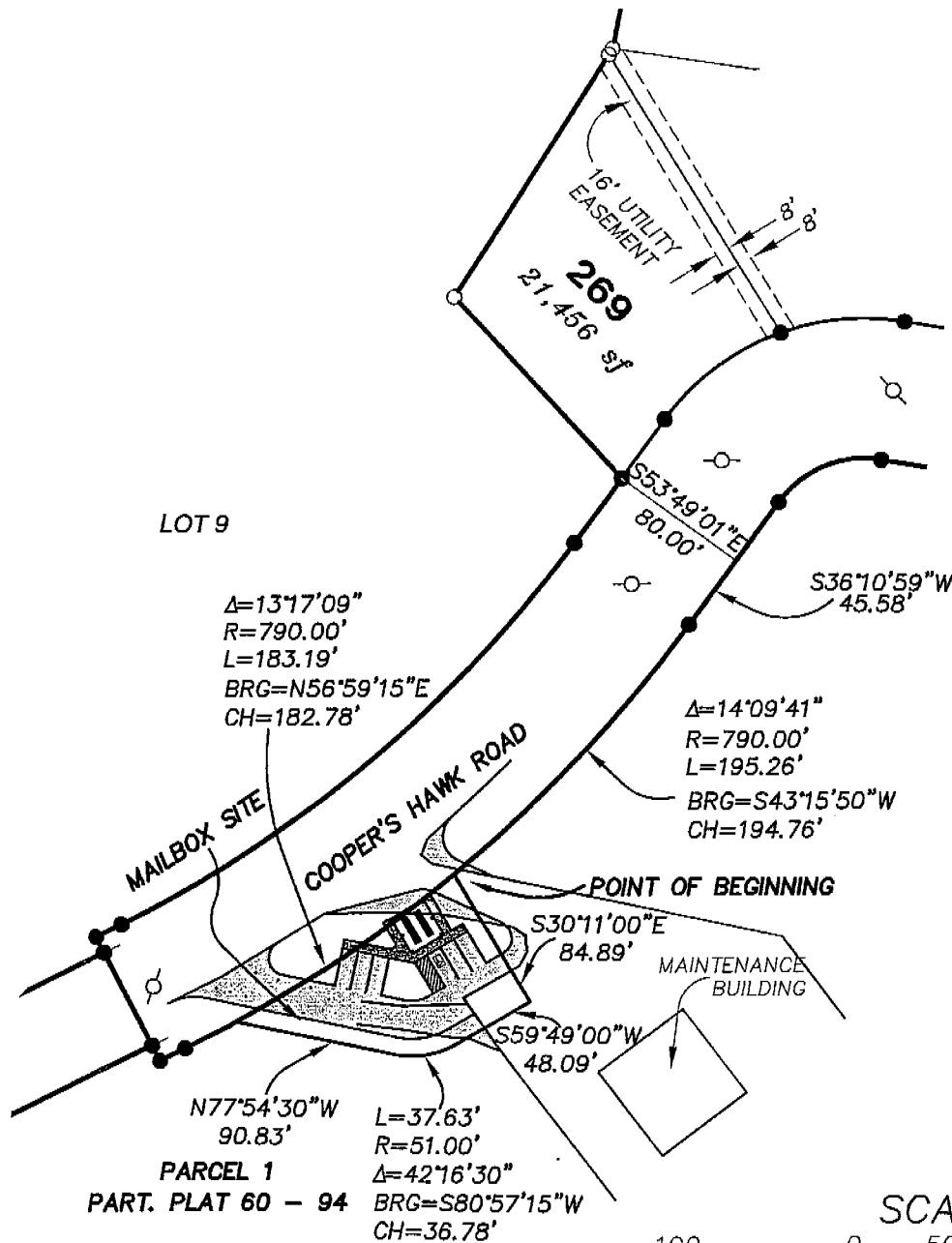
CONTAINING APPROXIMATELY 8,468 SQUARE FEET, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PER TRACT 1324, RUNNING Y RESORT, PHASE 3.



P:\Running Y Ranch\034383\Survey\Documents\MAILBOX SITE AT TL 704 EASEMENT.doc

# EXHIBIT "A", cont.



####	SPM	CHECKED BY:	JAB		
DRAWN BY:	SPM	APPROVED BY:	JAB		
LAST EDIT:		PLOT DATE:	07/27/07		
DATE	BY	REV#	REVISION	CK'D	APPR



RUNNING Y RESORT			
MAIL BOX SITE			
SKETCH TO ACCOMPANY LEGAL DESCRIPTION			
KLAMATH	PROJECT NO. 34383	DRAWING FILE NAME: 34383-serv-MB704-EX01	OREGON
SCALE: AS SHOWN	PROJECT NO. 34383	DRAWING FILE NAME: 34383-serv-MB704-EX01	SHEET 1/1