

EA

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



EASEMENT FOR AUTOMOBILE DRIVEWAY

2008-016304

Klamath County, Oregon



00057313200800163040040043

SPACE RESER
FOR
RECORDER'S L

12/09/2008 01:24:32 PM

Fee: \$36.00

Between

Robert Sr + Jane MARTIN
5121 S. ETNA ST
KLAMATH FALLS, OR 97603

And

Charles + Myrna Webb
4506 ANDERSON AVE
KLAMATH FALLS, OR 97603

After recording, return to (Name, Address, Zip):

Charles Webb
4506 ANDERSON AVE
KLAMATH FALLS, OR 97603

THIS AGREEMENT made and entered into on 12-8-08, by and
between Robert A. Martin + Jane Martin,
hereinafter called the first party, and Charles F. Webb + Myrna K. Webb,
hereinafter called the second party, WITNESSETH:

WHEREAS: The first party is the record owner of the following described real property in Klamath Co.
County, State of Oregon, to-wit:

See exhibit A

and the second party is the record owner of the following described real property in that county and state, to-wit:

See exhibit B

and the two parcels of real estate adjoin one another; and the parties desire to grant to each other an easement and right to use a certain automobile driveway now existing or about to be constructed along and upon a portion of each parcel;

NOW, THEREFORE, in consideration of each party's granting to the other an easement hereinafter described, and other valuable consideration paid to each other, the receipt of which is hereby acknowledged:

First party conveys to second party a perpetual easement for automobile driveway purposes, along and upon that portion of first party's property described as follows, to-wit:

SouthernLY 25 feet of Parcel A
parallel to USBR CANAL

(OVER)



Second party conveys to first party a perpetual easement for automobile driveway purposes, along and upon that portion of second party's property described as follows, to-wit:

None

Each party may use the whole automobile driveway in common with the other party, including that portion thereof situated on the property of the other party, for ingress and egress of automobiles and uses incidental thereto.

Maintenance and the cost of maintenance of all of the real estate described in this easement, if damaged by natural disasters or other events for which all holders of an interest in the easement are blameless, shall be the responsibility of (check one): ☐ both parties, share and share alike; ☐ both parties, with the first party responsible for 0 % and the second party responsible for 100 %. (If the last alternative is selected, the percentages allocated to each party should total 100).

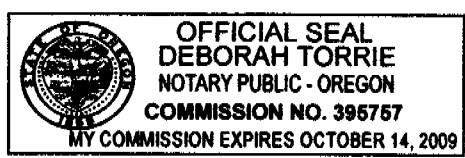
During the existence of this easement, holders of an interest in the easement who are responsible for damage to the easement because of negligence or abnormal use shall repair the damage at their sole expense.

In construing this agreement, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this agreement shall apply equally to individuals and to corporations. If the undersigned is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate on the day and year first written above.

Robert A. Martin
Jane Martin
 FIRST PARTY

STATE OF OREGON, County of Klamath) ss.
 This instrument was acknowledged before me on December 9th 2008
 by Robert Arnold Martin and Jane Martin
 This instrument was acknowledged before me on _____
 by _____
 as _____
 of _____



Deborah Torrie
 Notary Public for Oregon
 My commission expires Oct. 14, 2009

 SECOND PARTY

STATE OF OREGON, County of _____) ss.
 This instrument was acknowledged before me on _____
 by _____
 This instrument was acknowledged before me on _____
 by _____
 as _____
 of _____

 Notary Public for Oregon
 My commission expires _____

13156

MTC NO: 23847

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land situated in the SW1/4 NW1/4 of Section 14, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a 1/2 inch iron pin marking the Southwest corner of Lot 47 of ELMWOOD PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; thence South 89 degrees 33' 00" East along the South boundary of said Elmwood Park, 34.73 feet to an old fence, thence South 03 degrees 21' 42" East along said old fence and the extension thereof, 193.65 feet to a point on a curve on the Northerly right of way line of the U.S.R.S. Klamath Project A-3 lateral; thence along the arc of a 175.99 foot radius curve to the right (delta= 36 degrees 33' 06"; long chord = South 83 degrees 31' 47" West, 110.38 feet) 112.27 feet to a 1/2 inch iron pin at the end of curve; thence North 78 degrees 11' 40" West continuing along said lateral right of way line, 82.94 feet to a 1/2 inch iron pin at the intersection of said lateral right of way line with the Easterly right of way line of South Etna Street, a county road; thence along said Easterly right of way line and the arc of a 170.73 foot radius curve to the left (delta = 53 degrees 41' 18"; long chord = North 83 degrees 50' 39" West, 154.19 feet) 159.78 feet to the end of said curve; thence North 57 degrees 00' 00" West, 14.76 feet to a 1/2 inch iron pin; thence leaving said Easterly right of way line North 78 degrees 30' 37" East, 239.41 feet to the point of beginning.

Tax Account No: 3909 014BC 02300

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 3rd day
of July A.D. 19 90 at 3:51 o'clock P.M., and duly recorded in Vol. M90
of Deeds on Page 13155
Evelyn Biehn County Clerk
By Roseline M. Henderson

FEE \$33.00

Martin

A parcel of land situate in the SW1/4 NW1/4 of Section 14, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a one-half inch iron pin marking the Southeast corner of Lot 50 of Elmwood Park, a duly recorded subdivision in said Klamath County; thence South 55 degrees 14' 00" West along the Northerly right of way line of the U.S.B.R. Klamath Project A-3 Lateral, 308.25 feet to a one-half inch iron pin at the beginning of a curve to the right; thence along the arc of a 175.99 foot radius curve to the right (delta - 10 degrees 01' 14" long chord - South 60 degrees 14' 37" West 30.74 feet) 30.78 feet to the end curve thence North 03 degrees 21' 42" West along the extension of an old fence and the old fence 193.65 feet to the South boundary of said Elmwood Park thence South 89 degrees 33' 00" East along said subdivision boundary 291.27 feet to the point of beginning.

EXCEPTING THEREFROM a parcel of land situate in the SW1/4 of the NW1/4 of Section 14, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a one-half inch iron pin marking the Southeast corner of Lot 50 of ELMWOOD PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; thence North 89 degrees 33' 00" West along the South line of said Lot 50 a distance of 78.5 feet to a 1/2 inch iron pin marking the Southwest corner of said Lot 50; thence South to a point lying on the Northerly right of way line of the U.S.B.R. Klamath Project A-3 Lateral; thence North 55 degrees 14' East along said Northerly right of way line to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ 20th day
of _____ Sept. _____ A.D. 19 89 at 11:58 o'clock _____ A.M., and duly recorded in Vol. M89
of _____ Deeds _____ on Page 17692

FEE \$13.00

Evelyn Biehn County Clerk

By Caroline M. Mendenhall

Webb