

2009-014804

Klamath County, Oregon



11/18/2009 09:20:57 AM

Fee: \$52.00

GRANT OF EASEMENT

\* UNITED STATES OF AMERICA

\*

BY: DALE L. CLARK

PATRICIA L. CLARK

\* STATE OF OREGON

TO: TLC PROPERTIES, INC.

\* COUNTY OF KLAMATH

\*\*\*\*\*

This Grant of Easement ("Agreement") is made effective as of the 19<sup>th</sup> day of October, 2007, by and between DALE L. CLARK, whose address is PO BOX 1113 ST. HELENS, OREGON 97051 ("Grantor"), and TLC PROPERTIES, INC., a Louisiana Corporation, whose address is 5551 Corporate Boulevard, Baton Rouge, LA 70808 (TIN: 72-0640751) ("Grantee").

The Grantor, its successors and assigns, do hereby grant, sell and convey unto Grantee, its successors and assigns, a perpetual easement for the location, construction and maintenance of the outdoor advertising structure or structures and all necessary or desirable appurtenances on, over and upon the following described real property:

\*\*\*\*\*SEE EXHIBIT A\*\*\*\*\*

**Assessor's Property Tax Parcel No: 3909-01800-00300-000**

**Abbreviated Legal Description: PTN NW ¼ NE ¼ 18-39-9**

For and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, Grantor herein grants a perpetual easement subject to the following terms and conditions:

Easement shall consist of a perpetual servitude of use that runs with the land and shall include the right to service, maintain, improve or replace any outdoor advertising structure on the property described. This right shall include but not be limited to a right of ingress and egress, a right to install, repair, replace and maintain underground and/or above ground electrical service, a right to maintain telecommunication devices as it pertains to the advertising structure only and a right of view, prohibiting vegetation or improvements on the property described herein that would obstruct the view of advertising structure from the adjoining highway. Grantor agrees that Grantee may trim any or all trees and vegetation in, on or about the Easement as often as Grantee deems necessary to prevent obstruction or to improve the appearance of the structure. Grantee, its successors and assigns hereby specifically hold Grantor, its successors and assigns, free and harmless from any damages or injuries to any person or

property caused by Grantee's construction or maintenance activities on the property described.

Grantor warrants that it is the sole record owner of the immovable property over which this Easement is created, that such property is not subject to any mortgages or liens, that such property is not encumbered by any restrictions, easements, covenants, leases or other rights that are in any way conflicting with or inconsistent with the conveyance herein made, and that Grantor has the right and authority to execute this Easement and to grant, sell and convey the real rights set forth herein to Grantee.

Grantor hereby cancels and terminates the existing Grant of Easement recorded on August 10, 2007 in the County of Klamath, State of Oregon as Instrument No. 2007-014385.

The terms and provisions of this Agreement shall be binding upon and shall inure to the benefit of the heirs, successors, assigns, and legal representatives of Grantor and Grantee.

WITNESS this \_\_\_\_ day of June, 2009, but effective as of October 19, 2007

WITNESSES:

Cindy Mullican

Jan L. Proctor

GRANTOR:

Dale L. Clark  
DALE L. CLARK

Patricia L. Clark  
PATRECIA L. CLARK

STATE OF OREGON

COUNTY OF ~~KLAMATH~~ Columbia

On this, the 4th day of ~~June, 2009~~ November 2009

Before me, Kathleen M Welch  
(Printed name of Officer/Notary Public)

the undersigned a/an Kathleen M Welch, personally appeared  
(Notary Public/Officer)

DALE L. CLARK

(Individual name(s) that appeared before Notary/Officer)

known (or satisfactorily proven) to me to be the person(s) whose name(s)

is subscribed to the within instrument and acknowledged to me  
(is/are)

that he executed the same for the purposes therein contained.  
(he/she/they)

IN WITNESS WHEREOF, I hereunto set my hand and official seal

Kathleen M Welch

(Signature of Officer/Notary Public)



This Instrument Prepared By:  
James R. McIlwain  
5551 Corporate Blvd  
Baton Rouge, LA 70808

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A portion of NW1/4 NE1/4 of Section 18, Township 39 South, Range 9 East of the Willamette Meridian the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of the NW1/4 NE1/4 of Section 18, Township 39 South, Range 9 East of the Willamette Meridian; thence Southerly along the Easterly boundary of said NW1/4 NE1/4 of Section 18, 996 feet to the true point of beginning of this description; thence Westerly at right angles to the said Easterly boundary of the said NW1/4 NE1/4 of Section 18, 105.3 feet, more or less, to the Easterly boundary of the Weed-Klamath Falls Highway; as described in deed to Klamath County recorded in Volume 103, page 444, Deed Records of Klamath County, Oregon; thence South 20 rods, more or less, along the said Easterly Highway boundary line to its intersection with the Southerly line of the NW1/4 NE1/4 of the said Section 18; thence Easterly along the Southerly line of the NW1/4 NE1/4 to the Southeast corner thereof; thence Northerly along the Easterly line of said NW1/4 NE1/4 to the point of beginning.

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