



EA *1st courtesy*

EASEMENT

Between

And

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

Emilio Valle
5440 Hwy 97 N
Klamath Falls OR 97601

2011-010455

Klamath County, Oregon



00107432201100104550050059

SPACE RESE

09/16/2011 03:04:46 PM

Fee: \$57.00

FOR

RECORDER'S USE

Witness my hand and seal of County affixed.

NAME

TITLE

By _____, Deputy.

THIS AGREEMENT made and entered into on September 16, 2011, by and between Douglas E Neil and Beverly G Neil, hereinafter called the first party, and Emilio Valle, hereinafter called the second party, WITNESSETH:

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

That portion of the N 1/2 SW 1/4; Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at an iron pin which lies North 89° 49' West along the quarter line a distance of 976.04 feet and South 6° 02' West 510.3 feet from the iron pin which marks the center of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon. And running thence continuing South 6° 02' West 270 Feet to an iron pin thence North 89° 49' West 541.6 feet to an iron pin which lies on the Easterly right of way line of the new Dalles-California Highway 274.37 Feet to an iron pin, thence South 89° 49' East 625.1 Feet, more or less to the point of beginning.

and has the unrestricted right to grant the easement hereinafter described relative to the real estate; and the second party is the record owner of the following described real property in that county and state, to-wit:

See attached legal description as Exhibit "A"

NOW, THEREFORE, in view of the premises and in consideration of \$ 0 by the second party to the first party paid, the receipt of which is acknowledged by the first party, it is agreed:

The first party hereby grants, assigns and sets over to the second party an easement, to-wit:

A 30 foot wide access easement situated in the NE 1/4 SW 1/4 of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon being more particularly described as follows:

The westerly 30 feet of that tract of land described in Deed Volume 2011 Page 004428 of the Klamath County Deed Records.

First American Title Ins. Co. 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.



The second party shall have all rights of ingress and egress 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 other obstructions) necessary for the second party's use, enjoyment, operation and maintenance of the easement hereby granted and all rights and privileges incident thereto.

Except as to the rights herein granted, the first party shall have the full use and control of the above described real estate.

The second party agrees to save and hold the first party harmless from any and all claims of third parties arising from the second party's use of the rights herein granted.

The period of this easement shall be forever, always subject, however, to the following specific conditions, restrictions and considerations:

None

If this easement is for a right of way over or across the real estate, the center line of the easement is described as follows:

and the second party's right of way shall be parallel with the center line and not more than _____ feet distant from either side thereof.

During the existence of this easement, maintenance of the easement and costs of repair of the 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): ☒ the first party; ☐ the second party; ☐ both parties, share and share alike; ☐ both parties, with the first party responsible for _____ % and the second party responsible for _____ %. (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.

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 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 its board of directors.

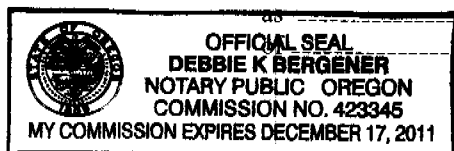
IN WITNESS WHEREOF, the parties have herunto set their hands in duplicate on the day and year first written above.

Beverly G Neil
FIRST PARTY

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on 9-16-11
by Douglas E Neil and Beverly G Neil

This instrument was acknowledged before me on _____
by _____



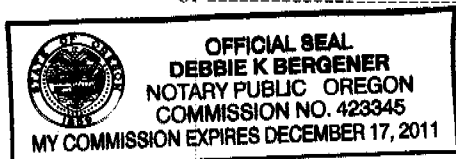
Debbie K Bergener
Notary Public for Oregon
My commission expires 12-17-2011

Emilio Valle
SECOND PARTY

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on 9-16-11
by Emilio Valle

This instrument was acknowledged before me on _____
by _____
as _____
of _____



Debbie K Bergener
Notary Public for Oregon
My commission expires 12-17-2011

Exhibit "A"

Real property in the County of Klamath, State of Oregon, described as follows:

THAT PARCEL OF LAND LOCATED IN THE NE 1/4 SW 1/4, SECTION 7, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON AND BEING APPROXIMATELY THE SOUTH HALF OF THE PROPERTY DESCRIBED IN VOLUME M79 PAGE 3138 RECORDS OF KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN WHICH IS THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN VOLUME M79 PAGE 3138, RECORDS OF KLAMATH COUNTY, OREGON, SAID IRON PIN BEING THE FOLLOWING TWO BEARINGS AND DISTANCES FROM THE IRON PIN MARKING THE CENTER OF SECTION 7 OF SAID TOWNSHIP AND RANGE, NORTH 89°49' WEST 976.04 FEET, ALONG THE EASTWEST

CENTER OF SECTION 7 AND SOUTH 06°02' WEST 780.3 FEET; THENCE FROM SAID IRON PIN NORTH 89°49' WEST ALONG THE SOUTHERLY LINE OF SAID PARCEL 541.6 FEET TO AN IRON PIN ON THE EASTERLY RIGHT OF WAY LINE OF THE NEW DALLES-CALIFORNIA HIGHWAY; THENCE NORTH 11°36' WEST ALONG THE EASTERLY RIGHT OF WAY OF SAID HIGHWAY 137.18 FEET TO A POINT; THENCE SOUTH 89°49' EAST 583.37 FEET TO A POINT ON THE EASTERLY LINE OF THE PARCEL DESCRIBED IN M79 PAGE 3138; THENCE SOUTH 06°02' WEST ALONG SAID EASTERLY LINE 135.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.73 ACRES, MORE OR LESS.

Tax Parcel Number: R429931

1st Courtney

JOHN HEATON P.L.S.

TRU SURVEYING, INC. LINE

2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603
PHONE: (541) 884-3691

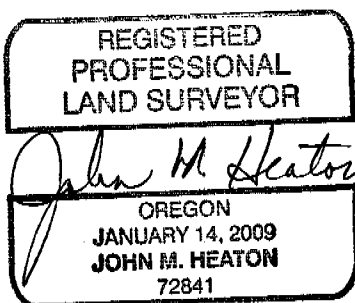


JULY 27, 2011

LEGAL DESCRIPTION OF ACCESS EASEMENT

A 30 FOOT WIDE ACCESS EASEMENT SITUATED IN THE NE1/4 SW1/4 OF SECTION 7, T38S, R9EWM, KLAMATH COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WESTERLY 30 FEET OF THAT TRACT OF LAND DESCRIBED IN DEED VOLUME 2011 PAGE 004428 OF THE KLAMATH COUNTY DEED RECORDS.



John M. Heaton
JOHN M. HEATON P.L.S. 72841

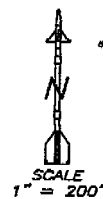
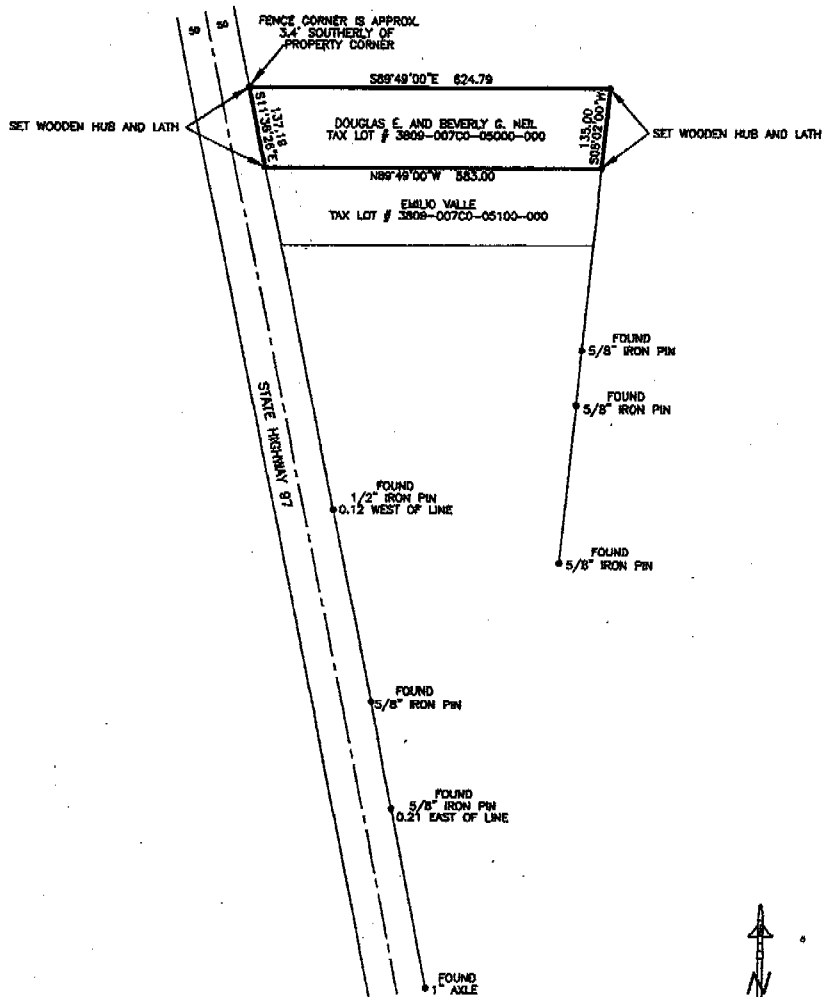
RENEWAL DATE: 6/30/13

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EXHIBIT MAP

BEING SITUATED IN THE N1/2 SW1/4 OF SECTION 7
T38S, R9EWM, KLAMATH COUNTY, OREGON
MAY, 2011



REGISTERED
PROFESSIONAL
LAND SURVEYOR

John M. Heaton
OREGON
JANUARY 14, 2009
JOHN M. HEATON
72841

RENEWAL DATE: 8-30-11

NARRATIVE

DOUGLAS NEIL REQUESTED TRU-LINE SURVEYING INC. TO SURVEY AND MARK THE PROPERTY CORNERS WITH WOODEN HUBS AND LATH. THE SAID PROPERTY BOUNDARY WAS CALCULATED BASED UPON THE MONUMENTS FOUND AS SHOWN.

TRU SURVEYING INC. LINE
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603