



11/02/2012 01:27:06 PM

Fee: \$47.00

AFTER RECORDING, PLEASE RETURN TO:
Martin Sanchez
P.O. Box 464
Fort Klamath, Oregon 97626

GRANT OF RESTRICTIVE USE EASEMENT

THIS GRANT OF RESTRICTIVE USE EASEMENT is made this 2 day of ~~October~~ ^{Nov}, 2012 by CYNTHIA JOHNSON whose notice address is 30707 Hwy 97 North, Chiloquin, Oregon 97624 ("Grantor") and MARTIN SANCHEZ and PAULA SANCHEZ whose notice address is P.O. Box 464, Fort Klamath, Oregon 97626 (jointly, "Grantee").

RECITALS

A. Grantor is the owner of that certain real estate situated in Klamath County, Oregon known as R-3507-028D0-01100-000 and more particularly described on Exhibit "A" attached hereto and made a part hereof (the "Grantor Property");

B. Grantee is the owner of real estate situated in Klamath County, Oregon, adjacent to the Grantor Property, known as R-3507-028D0-00701-000 and more particularly described on Exhibit "B" attached hereto and made a part hereof (the "Grantee Property"); and

C. Grantor desires to grant to Grantee, its successors and assigns, a permanent restrictive easement on a portion of the Grantor Property that will restrict future development and activities on the parcel and preserve the water quality of the well drilled in 2012 (the "2012 Well") on the Grantee Property.

NOW THEREFOR, for Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which are hereby acknowledged by Grantor:

1. Grant of Easement. Grantor does hereby grant to Grantee, its successors and assigns, a perpetual restrictive easement ("Easement") on a portion of the Grantor Property which is within 100 linear feet from the location of Grantee's 2012 Well (the "Easement Parcel").

2. Use Restrictions. Grantor, its successors and assigns, shall not construct any structures or use or conduct any activities on the Easement Parcel, or grant any possessory or use rights on the Easement Parcel, that would in any way or method, create a condition or hazard that is prohibited or addressed in Oregon Administrative Rule (OAR) 333-061-0050(2)(a)(E) as it may be amended from time to time which is within 100 feet of the 2012 Well, or which would impact or have the potential to impact the 2012 Well. This grant of Easement is intended to restrict Grantor's use of the Easement Parcel and does not grant to the Grantee any use or access rights or any other affirmative interests in the Easement Parcel or the Grantor Property.

3. Allowed Uses by Grantor. Except for the restrictions imposed herein on the Easement Parcel, Grantor shall be allowed free and complete use and occupation of the Grantor Property including the Easement Parcel.

4. Appurtenant Easement. This Easement shall be a burden upon the Grantor Property and shall be appurtenant to and for the benefit of the Grantee Property and shall run with the land and inure to the benefit of the successors, assigns and transferees of the parties hereto.

Dated to be effective as of the date and year first above written.

GRANTOR

Cynthia S. Johnson
Cynthia Johnson

STATE OF OREGON)
) ss.
County of Klamath)

The foregoing instrument was acknowledged before me this 2 day of ^{Nov.}~~October~~, 2012 by Cynthia Johnson, owner of the Grantor Property.



Teresa R. Foreman
NOTARY PUBLIC
Address: Chiloquin, OR 97624

EXHIBIT "A"

DESCRIPTION OF GRANTOR PROPERTY FOR RESTRICTIVE USE EASEMENT

A tract of land situated in that portion of Lots 25 and 32, Section 28, Township 35 South, Range 7 East of the Willamette Meridian, lying East of the Dalles-California Highway, Klamath County, and described as follows:

Beginning at an iron pin located on the Easterly boundary of the Dalles-California Highway, said point being South 8 degrees, 41' East a distance of 186073 feet from the iron pipe on the intersection of the North line of Lot 17 and the Easterly boundary of said Highway; thence South 89 degrees 43' East parallel with the North line of Lot 17 a distance of 250 feet to an iron pin; thence South 8 degrees 41' East parallel with the Dalles-California Highway a distance of 200.0 feet to an iron pin; thence North 89 degrees 43' West parallel with the North line of Lot 17 a distance of 250.0 feet to an iron pin on the Easterly boundary of said Highway; thence North 8 degrees 41' West along the Easterly boundary of said Highway a distance of 200.0 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its Department of Transportation, Highway Division by Deed dated July 8, 1987 and recorded July 23, 1987 in Volume M87, page 13128, Microfilm Records of Klamath County, Oregon.