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EASEMENT FOR AUTOMOBILE DRIVEWAY

2013-005793

Klamath County, Oregon

05/23/2013 08:54:57 AM

Fee: \$57.00

Leo B. and Claris E. Morstad
 2480 Lindley Way
 Klamath Falls, OR 97601
First Party's Name and Address

Marshall G. and Jodi A. Rasor
 2500 Lindley Way
 Klamath Falls, OR 97601
Second Party's Name and Address

SPACE RESERVED
 FOR
 RECORDER'S USE

After recording, return to (Name and Address):

Jodi Rasor
 2500 Lindley Way
 Klamath Falls, OR 97601

*ORS 205 requires the first page of a recorded document to show the names and addresses of all parties. Use Stevens-Ness Form No. 1256, Cover Sheet for Instrument to be Recorded, if you need additional space.

97761-DS

THIS AGREEMENT made and entered into on May, by and between Leo B. and Claris E. Morstad, hereinafter called first party, and Marshall G. and Jodi A. Rasor, hereinafter called second party, WITNESSETH:

WHEREAS: First party is the record owner of the following described real property in Klamath County, Oregon (legal description of property):

Morstad's description (Exhibit "A")

and second party is the record owner of the following described real property in that county and state (legal description of property):

Rasor's description (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 (description of that portion of first party's property that the parties will share):

the right of egress and ingress from Lindley Way across 1st parties property, over the existing driveway not to exceed 200 feet in length from Lindley Way

(CONTINUED)



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 (*description of that portion of second party's property that the parties will share*):

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 50 % and the second party responsible for 50 %. (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 instrument, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, the parties have executed this instrument on the date stated above; any signature on behalf of a business or other entity is made with the authority of that entity.

Leo B. Morstad

Clariss E. Morstad
FIRST PARTY



STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on 5-22-13
by Leo B. Morstad and Clariss E. Morstad

This instrument was acknowledged before me on _____

by _____

as _____

of _____

B. J. Phillips
Notary Public for Oregon
My commission expires _____



SECOND PARTY

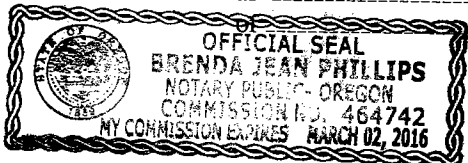
STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on may 22, 2013
by Marshall G. Rasor

This instrument was acknowledged before me on _____


by _____

as _____



B. J. Phillips
Notary Public for Oregon
My commission expires _____

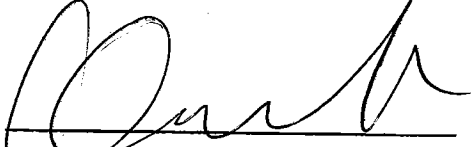
Signed this 22nd day of May, 2013


Jodi A. Rasor

State of Oregon

County of Jackson

This instrument was acknowledged by me this 22nd day of May, 2013 by Jodi A. Rasor as her voluntary act and deed.


Notary Public for Oregon

My commission expires 10/03/2014

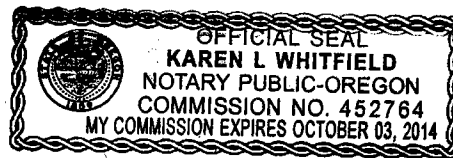


Exhibit "A"

A parcel of land situated in the SW1/4 NW1/4 of Section 5, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, begin more particularly described as follows:

Beginning at a one inch iron shaft with hex nut marking the Northwest corner of said SW1/4 NW1/4; thence North 89 degrees 55' East along the North line of said SW1/4 NW1/4, 539.09 feet to a 5/8 inch iron pin; thence South 00 degrees 05' East 374.00 feet to a 5/8 inch iron pin on the Northerly right of way line of Lindley Way, a county road; thence South 89 degrees 55' West along said right of way line, 25.00 feet; thence North 00 degrees 05' West, 249.69 feet to a 1/2 inch iron pin; thence South 89 degrees 55' West, 234.52 feet to a 1/2 inch iron pin; thence South 00 degrees 06' West, 62.69 feet to a 1/2 inch iron pin; thence South 89 degrees 55' West, 280.00 feet to a 1/2 inch iron pin on the West line of said Section 5; thence North 00 degrees 06' East along said West line of Section 5, 187.00 feet to the point of beginning.

3909-005BC-00900

Exhibit "B"

A parcel of land situated in the SW1/4 of the NW1/4 of Section 5, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Commencing at a one inch iron shaft with hex nut marking the Northwest corner of said SW1/4 of the NW1/4; thence North 89° 55' 00" East along the North line of said SW1/4 of the NW1/4, 514.12 feet; thence South 00° 05' 00" East, 124.31 feet to the point of beginning for this description; thence continuing South 00° 05' 00" East, 249.69 feet to the North right of way line of Lindley Way, a county road; thence South 89° 55' 00" West along said North right of way line, 117.66 feet to a 1/2 inch iron pin; thence North 00° 06' 00" East, 249.69 feet to a 1/2 inch iron pin; thence North 89° 55' 00" East, 116.86 feet to the point of beginning.

3909-005BC-00700