

2013-009602

Klamath County, Oregon



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08/21/2013 02:22:02 PM

Fee: \$57.00

Between:

Grantor:

JELD-WEN, Inc

Grantee:

and Diversified Contractors, Inc.
PO Box 223
Klamath Falls, OR 97601

After Recording return to: Grantee

GENERAL EASEMENT AGREEMENT

JELD-WEN, Inc., an Oregon corporation, successor by merger to TRENDWEST, Inc., an Oregon corporation, successor by merger to KLAMATH FALLS BRICK & TILE COMPANY, an Oregon corporation, its assigns and successors, henceforth, "Grantor" being the owner of the following real property.

Legal Description: See Attached Exhibit "A"

AND, Diversified Contractors, Inc., its heirs, assigns and successors, henceforth "Grantee" being the owner of the following real property:

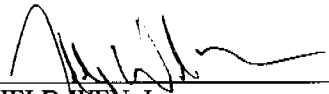
Legal Description: See attached Exhibit "B"

WHEREFORE, for and in consideration of the agreements contained herein, the parties hereto agree as follows:

1. "Grantor" hereby grants to "Grantee" a permanent, non-exclusive easement for the purposes of ingress, egress and maintenance over the real property described as:

See attached Exhibit "C"

2. The consideration for this easement is other than money.


JELD-WEN, Inc.
By: Jeff Woolworth
Its: Real Estate Manager


Diversified Contractors, Inc.
By: Mark Wendt
Its: President

STATE OF OREGON, County of Klamath)ss.

BE IT REMEMBERED that on this 20th day of August, 2013, personally appeared before me Jeff Woolworth, who is known to me to be the identical person described in and who executed the above instrument, and who acknowledged to me that he/she executed the same freely and voluntarily on behalf of JELD-WEN, Inc. In witness whereof, I have hereunto set my hand and affixed my seal this day and date written above.



Before me: Susan E. Weiskopf

Notary Public for Oregon

STATE OF OREGON, County of Klamath)ss.

BE IT REMEMBERED that on this 21st day of August, 2013, personally appeared before me Mark Wendt, who is known to me to be the identical person described in and who executed the above instrument, and who acknowledged to me that he executed the same freely and voluntarily on behalf of Diversified Contractors, Inc.. In witness whereof, I have hereunto set my hand and affixed my seal this day and date written above.

(S E A L)

Before me: Kathy A. Dillon
Notary Public for Oregon

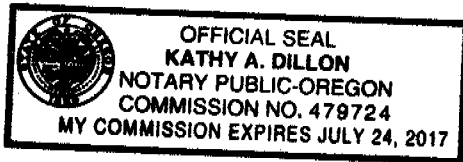


EXHIBIT "A"

A tract of land described as follows: A strip of land 230 feet wide being 80 feet wide on the westerly side and 150 feet wide on the easterly side of the following described centerline: Beginning at an iron pin which lies North along the section line a distance of 1907.5 feet and West a distance of 839.55 feet from the iron axle with pinion which marks the Southeast corner of Section 19, Twp. 38 S., Range 9 East, W. M., and running thence; North $1^{\circ} 34'$ East a distance of 211 feet to an iron pin which is the point of curvature of a 10° curve to the left; thence in a northwesterly direction following the arc of a 10° curve to the left a distance of 359 feet more or less to an iron pin which lies on the Southerly right of way line of the Pelican City Road, 30' Southerly at right angles from its center line (the long chord of this curve bears North $16^{\circ} 23'$ West a distance of 353.2 feet). This tract containing 3 acres more or less, being a portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Twp. 38S, Range 9 East, W.M., in Klamath County, Oregon;

EXHIBIT 4
LEGAL DESCRIPTION

PARCEL 1:

The following described property situate in the NE 1/4 SE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point which is North a distance of 2564.5 feet and West a distance of 1337.2 feet from the iron axle which marks the Southeast corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian; said point of beginning also being on the Southerly right of way of Front Street (now known as Hank's Street) which point is 30.0 feet East of the Northeast corner of Block 2, KLAMATH LAKE ADDITION, as shown on the official plat of said KLAMATH LAKE ADDITION, on file in the County Clerk's office in Klamath County, Oregon; and running South along the 1/16th line on the West side of the NE 1/4 of the SE 1/4 of said Section 19, a distance of 220.0 feet to the True Point of Beginning; thence North 70 degrees 53' East a distance of 232.3 feet; thence North 36 degrees 12' East to the South right of way line of Lakeport Blvd., thence Southeasterly along said right of way line to the Northwest corner of that property conveyed to Ralph Smith and Alice Smith, husband & wife, and William Smith and Wendell Smith, and described as Parcel 2 in Deed Volume 215, at page 170, Deed Records of Klamath County, Oregon, thence Southerly along the Westerly line of said Deed Volume 215, at page 170, Deed Records of Klamath County, Oregon to the Southwest corner thereof, thence West to the Southeast corner of that certain property described in Deed Volume 285 at page 444, Deed Records of Klamath County, Oregon, said point being West 210 feet from the West line of the NE 1/4 SE 1/4 of said Section 19; thence North 260 feet to the Northeast corner of that certain property described in Deed Volume 296, page 177, Deed Records of Klamath County, Oregon; thence West along the North line of said Deed Volume, 210 feet to the West line of the NE 1/4 SE 1/4 of said Section 19; thence North along said West line to the point of beginning.

EXCEPTING THEREFROM that portion thereof conveyed to PacifiCorp by deed recorded March 25, 1994 in Volume M94 page 8873 Deed Records of Klamath County, Oregon and rerecorded July 27, 1994 in Volume M94 page 22980 Deed Records of Klamath County, Oregon to correct the legal description.

PARCEL 2:

A portion of the NE 1/4, SE 1/4 of Section 19, Township 38 South, Range 9 East, Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a point on the West line of said quarter quarter section at a point thereon North 210 feet from the Southwest corner of the land described in deed of Klamath County, Oregon, by U.E. Reeder, E.W. Gowen and Jerry Rajnus to Earl V. King and Elva C. King, dated July 14, 1954, and recorded in Deed Volume 268 at page 58 of Klamath County, Oregon deed records on said July 14, 1954; thence East 210 feet to a point; thence North 50 feet to a point; thence West 210 feet to the West line of said quarter quarter section; thence South along said West line to the place of beginning.

DIVERSIFIED CONTRACTORS, INC

BY

MARK WENDT, PRESIDENT

Exhibit "C"

A Parcel of land situated in the SE1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, in Klamath Falls, Oregon; being more particularly described as follows:

Commencing at the NE corner of Block 3 of Klamath Lake Addition, said point being marked by a 2 inch pipe; thence, along the southerly right-of-way line of Hanks Street, North $89^{\circ}19'55''$ East, 498.09 feet to the intersection of said southerly right-of-way line with the southwesterly right-of-way line of Lakeport Blvd; Thence, along said southwesterly right-of-way line, South $68^{\circ}49'42''$ East, 179.66 feet to the TRUE POINT OF BEGINNING, said point is witnessed by $5/8''$ rebar with a yellow plastic cap stamped "LS 744" bearing North $68^{\circ}49'42''$ West, 1.00 feet; Thence, continuing along said southwesterly right-of-way line, South $68^{\circ}46'42''$ East, 157.36'; Thence, leaving said southwesterly right-of-way line, South $01^{\circ}24'59''$ West, 329.96 feet to a point marked by a $5/8''$ rebar with a yellow plastic cap stamped "LS 744"; Thence along a 492.96 foot radius curve to the left, through a central angle of $47^{\circ}41'14''$ (the long chord of which bears North $22^{\circ}23'41''$ West, 398.55 feet), an arc distance of 410.29 feet to a point marked by a $5/8''$ rebar with a yellow plastic cap stamped "LS 744"; Thence North $35^{\circ}59'59''$ East, 22.65 feet to the point of beginning.

Containing 16,991 square feet (0.39 acres).

Basis of Bearings are grid North of the Oregon Coordinate Reference System. M

County Surveys referenced are #5492 and #6224.