

AFTER RECORDING RETURN TO:  
Brandsness, Brandsness & Rudd, P.C.  
411 Pine Street  
Klamath Falls, OR 97601

EASEMENT

THIS AGREEMENT, made and entered into this 9<sup>th</sup> day of April, 2014, by and between Peter A. Nevin and Malinda B. Nevin, hereinafter called Grantors, and John M. Venable and ~~Matthew C. Biaggi~~ (hereinafter "Venable/Biaggi"), John M. Venable, individually, (hereinafter "Venable") and Penny Lea Lassett and Patricia Ann Venable, successor Trustees under declaration of trust dated July 27, 1982 (hereinafter the "Trustees"), collectively hereinafter called Grantees:

W I T N E S S E T H

WHEREAS, Grantors are the record owner of the following described real property in Klamath County, State of Oregon, to-wit:

Parcel 2 of Land Partition 6-03 situated in Section 24, Township 38 South, Range 10 East of the Willamette Meridian and in the S½ of Section 30, North ½ of Section 31, Township 38 South, Range 11 ½ East of the Willamette Meridian in Klamath County, Oregon.

And have the unrestricted right to grant the easement hereinafter described relative to said real properties.

Grantors convey to Grantees, their heirs, successors, and assigns, a perpetual non-exclusive easement across the property of the Grantors, more particularly described as:

That certain existing road known as Hankins Lane as depicted and described on LP 50-07, recorded at 2007-21024, from Mitchell Road to the southerly boundary of Parcel 2 of LP 50-07, as more particularly depicted and described on the attached Exhibit "A"

The terms of this easement are as follows:

1. Grantees, their agents, independent contractors and invitees shall use the easement for road purposes only, for access to the properties described in paragraph 8 and in conjunction with such use may construct, reconstruct, maintain and repair a road thereon.

2. Grantors reserve the right to use, construct, reconstruct and maintain the road located upon the easement and Grantors may grant use rights for use by third parties. The parties shall cooperate during periods of joint use so that each party's use shall cause a minimum of interference to the others.

3. Upon mutual agreement, the parties may relocate the road at any time and in such case shall reconstruct a road at such new location in as good or better condition as existed at the prior location. If the road is relocated, Grantors may record an instrument indicating the relocated road easement and such instrument shall serve to amend this easement and eliminate any rights of Grantees in the original easement. Such amendment of the description shall be effective whether or not signed by Grantees but Grantees shall execute it or such other document necessary to indicate relocation of the easement, when and if requested by Grantors.

4. Grantees agree to indemnify and defend Grantors from any loss, claim or liability to Grantors arising in any manner out of Grantees' use of the easement. Grantees assume all risks arising out of their use of the easement and Grantors shall have no liability to Grantees or others for any condition existing thereon.

5. This easement is appurtenant and for the benefit of the real properties owned by Grantees and described below in paragraph 8.

6. This easement shall be perpetual and shall not terminate for periods of non-use by Grantees. Said easement may be terminated upon written agreement by Grantors and Grantees, their heirs, successors and assigns.

7. This easement is granted subject to all prior easements or encumbrances of record.

8. The following is a description of the Grantees dominant properties to which this easement is appurtenant;

Venable/Biaggi Property:

Parcel 2 Land Partition 65-94, Situated in Sections 33 and 34, Township 37 South, Range 10 East, Section 34, 10, 11, 12, 14, 23 and 24, Township 38 South, Range 10 East, Section 18 and 19, Township 38, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

Venable Property:

Parcel 1 of Land Partition 50-07 being a re-plat of parcel 1 of "Land Partition 65-94" situated in Sections 11, 12, 13, 14, 23 and 24, Township 38 South, Range 10 East of the Willamette Meridian and in Sections 18 and 19, Township 38 South, Range 11 ½ East, of the Willamette Meridian, Klamath County, Oregon and recorded at 2007-21024.

Trust Property:

Parcels 2 and 3 of Land Partition 50-07 being a re-plat of parcel 1 of "Land Partition 65-94" situated in Sections 11, 12, 13, 14, 23 and 24, Township 38 South, Range 10 East of the Willamette Meridian and in Sections 18 and 19, Township 38 South, Range 11 ½ East, of the Willamette Meridian, Klamath County, Oregon and recorded at 2007-21024.

IN WITNESS THEREOF, the parties have caused this instrument to be executed this 9 day of April, 2014.

GRANTORS:

Peter A. Nevin  
Peter A. Nevin

Malinda B. Nevin  
Malinda B. Nevin

GRANTEES:

Penny Lea Lassett  
Penny Lea Lassett  
Successor Trustee

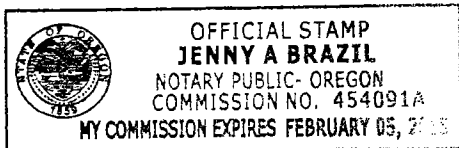
Patricia Ann Venable  
Patricia Ann Venable  
Successor Trustee

John M. Venable  
John M. Venable

Matthew C. Biaggi  
Matthew C. Biaggi  
Matthew mcs

STATE OF OREGON            )  
                                      ) ss.  
County of Klamath        )

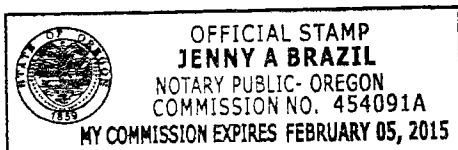
Personally appeared before me this 9 day of April, 2014, the above-named Peter A. Nevin, and acknowledged the foregoing instrument to be his voluntary act and deed.



J. Brazil  
Notary Public for Oregon  
My Commission expires: 2/5/2015

STATE OF OREGON            )  
                                      ) ss.  
County of Klamath        )

Personally appeared before me this 9 day of April, 2014, the above-named Malinda B. Nevin, and acknowledged the foregoing instrument to be her voluntary act and deed.



J. Brazil  
Notary Public for Oregon  
My Commission expires: 2/5/2015

STATE OF OREGON            )  
                                      ) ss.  
County of Klamath        )

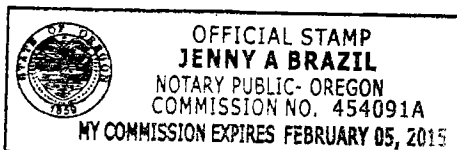
Personally appeared before me this 9 day of April, 2014, the above-named Penny Lea Lassett and Patricia Ann Venable, as Successor Trustees under declaration of trust, dated July 27, 1982, and acknowledged the foregoing instrument to be their voluntary act and deed.



Cherice F. Treasure  
Notary Public for Oregon 6/17/2016  
My Commission expires: 6/17/2016

STATE OF Oregon            )  
                                      ) ss.  
County of Klamath        )

Personally appeared before me this 9 day of April, 2014, the above-named John M. Venable, and acknowledged the foregoing instrument to be his voluntary act and deed.

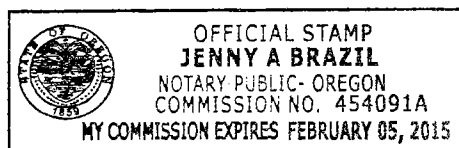


J. Brazil  
Notary Public for California  
My Commission expires: 2/5/2015

STATE OF OREGON            )  
                                      ) ss.  
County of Klamath        )

Personally appeared before me this 9 day of April, 2014, the above-named Mathew C. Biaggi, and acknowledged the foregoing instrument to be his voluntary act and deed.

mathew



J. Brazil  
Notary Public for Oregon  
My Commission expires: 2/5/2015

BEING A RE-PLAT OF PARCEL 1 OF "LAND PARTITION 65-94"  
SITUATED IN SECTIONS 11, 12, 13, 14, 23, AND 24, T38S, R10E W.M.  
AND IN SECTIONS 18 AND 19, T38S, R11 1/2E W.M.  
KLAMATH COUNTY, OREGON

NOT SURVEYED PARCELS 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 84

ALLEN, ALAN P.

**QUALITY OF RELIANCE.** THIS IS TO CERTIFY THAT PENNY L. CASSETT AND VERNAL, AS SUCCESSOR TRUSTEES, DOOR DECLARATION OF TRUST, DATED MAY 21, 1992, BEING DULY SIGNED, DEPOSED AND SWORN THAT THEY ARE THE OWNERS OF 1/400 PARTHORN 30-37, BLOCK 16, LOT 1, BEING PART OF THE SHILOH TRUSTS (DEVELOP), THAT WE DO CLOSE THE SAME TO BE PARTHORN 30-37, BLOCK 16, LOT 1, FOR OUR BENEFITS, OUR HEIRS AND ASSIGNS, HEREBY GRANT A 1/400th VEST ACCESS AND POOLK UTILITY EASEMENT FOR THE BENEFIT OF PARCELS 1, 2 AND 3, AS SHOWN ON THE ADJACENT MAP.

Patricia Ann Venable, Co-Trustee  
 Patricia Ann Venable, Co-Trustee  
 Patricia Ann Venable, Co-Trustee

STATE OF OREGON )  
JSS.  
COUNTY OF CLATSOP )  
BEFORE ME, the undersigned authority, on this 4<sup>th</sup> day of December, 1907, personally appeared before me the undersigned authority, known to me to be the identical persons described in and who executed the foregoing instrument, and acknowledged to me that they executed the same freely and voluntarily as such holders or devisees of the Declaration of Trust, dated May 15, 1904.  
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL NOTARY SEAL THIS 4<sup>th</sup> DAY OF DECEMBER, 1907.

NOTARY PUBLIC FOR OREGON Danby Beaupre  
MY COMMISSION EXPIRES April 25, 2011

I, KEITH R. POND, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED USING AN ELECTRONIC CARTRIDGE #1014A ON CONFIDENTIAL MACHING #JPC642.

Jim & Kelly Ramey



1. BUTACASTMENT OVER EXISTING ROAD IN DY, PAGE, COB, EXPANDED MAY 4, 1959
2. EASTERN FOR THE PURPOSE OF MAINTAINING POWER LINE AND SUPPORT EQUIPMENT AS DESCRIBED IN DY 1710-1412.

THE PURPOSE OF THIS PLAT IS TO CREATE AND SET THE CORNERS OF APPROVAL FOR LAND PARCELS 55-01". THE PROPERTY WAS NOT INCORPORATED TO BE SURVEYED. THE MAP AND PARCEL BOUNDARY WAS PREPARED FROM INFORMATION BASED ON LAND PARCELS 55-91". BASIS OF BEARINGS IS PER LAND PARCELS 55-91".

REFERENCED RECORD OF SURVEYS: 3003, 3114, 4435 & 5731

APPROVED: Mild Mader 12/14/2007  
 ALABAMA COUNTY SHERIFF DATE

APPROVED BY [Signature]  
KALAMATH COUNTY PLANNING COMMISSION  
DATE 12/17/87

APPROVED: [Signature]  
 PLANTH COUNTY PUBLIC WORKS DIRECTOR  
 DATE: 12/12/2011

THEREBY CERTIFY THAT ALL TAXES, INTEREST, PENALTIES, ASSESSMENTS, FEES OR OTHER CHARGES DUE TO OR BY THE STATE OF CALIFORNIA HAVE BEEN PAID.

Michael R. Long Jr., Collector  
COUNTY TAX COLLECTOR  
DATE 12/11/07

1. DELIVERED FOR FREIGHT ON ONE FLAT TRUCK PROHIBITION COMPANY CERTIFY THAT THE PERIOD OF "LAND PARTITION 34-07" SITUATED IN SEV. 35/36 OF SECTION 84 IS INCLUDED WITHIN THE OFFSHORE FOR PURPOSES OF RECEIVING SERVICES AND BEING SUBJECT TO THE FEES AND OTHER CHARGES OF THE DISTRICT.

18 Dec 07

FILED FOR RECORDING DATE 11/11 DAY OF 4 November 2001  
Richard L. Smith Richard L. Smith  
 RICHARD L. SMITH DEPUTY

REGISTRATION PROFESSIONAL LAND SURVEYOR	
<i>K. A. E. C.</i> JOHN H. RYAN KETTER R. RYAN 1234567890 RECEIVED DATE 12-31-08	
PARTITION FOR:	
JOHN VENABLE P.O. BOX 5246 CLAMATH FALLS, OR 97601	
DATE: OCTOBER 2007	PROJECT NO. 793
<b>R-C RYAN-CROSS GROUP, INC.</b> ENGINEERING - SURVEYING - PLANNING 430 WALNUT AVE. - P.O. BOX 999 CLAMATH FALLS, OREGON 97601	
Phone: (501) 311-9103	Fax: (501) 313-9100
einfo@rc-ecorp.com	

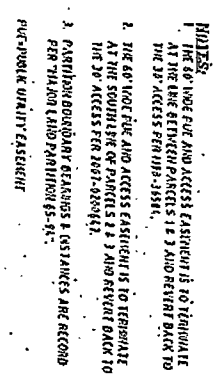
# SECRET A

Page 1-2

EX-107 W.M. 4  
2 2 2

60° WOE PUE IN  
EASEMENT CREATE  
PLAT USIN  
INFORMATION ON  
N-S CENTER  
SECTION LINE  
NORTH

LINE 101C		LINE 101C	
LINE	BEARING	LINE	BEARING
41	S65.20°W	36.71	
42	S65.10°W	175.39	
43	S55.11°W	218.49	
44	S55.20°W	415.72	
45	S55.20°W	415.82	
46	S55.20°W	501.81	
47	S55.20°W	501.81	
48	S55.20°W	551.15	
49	S55.20°W	551.15	
50	S55.20°W	551.15	
51	S55.20°W	551.15	
52	S55.20°W	551.15	
53	S55.20°W	551.15	
54	S55.20°W	551.15	
55	S55.20°W	551.15	
56	S55.20°W	551.15	
57	S55.20°W	551.15	
58	S55.20°W	551.15	
59	S55.20°W	551.15	
60	S55.20°W	551.15	
61	S55.20°W	551.15	
62	S55.20°W	551.15	
63	S55.20°W	551.15	
64	S55.20°W	551.15	
65	S55.20°W	551.15	
66	S55.20°W	551.15	
67	S55.20°W	551.15	
68	S55.20°W	551.15	
69	S55.20°W	551.15	
70	S55.20°W	551.15	
71	S55.20°W	551.15	
72	S55.20°W	551.15	
73	S55.20°W	551.15	
74	S55.20°W	551.15	
75	S55.20°W	551.15	
76	S55.20°W	551.15	
77	S55.20°W	551.15	
78	S55.20°W	551.15	
79	S55.20°W	551.15	
80	S55.20°W	551.15	
81	S55.20°W	551.15	
82	S55.20°W	551.15	
83	S55.20°W	551.15	
84	S55.20°W	551.15	
85	S55.20°W	551.15	
86	S55.20°W	551.15	
87	S55.20°W	551.15	
88	S55.20°W	551.15	
89	S55.20°W	551.15	
90	S55.20°W	551.15	
91	S55.20°W	551.15	
92	S55.20°W	551.15	
93	S55.20°W	551.15	
94	S55.20°W	551.15	
95	S55.20°W	551.15	
96	S55.20°W	551.15	
97	S55.20°W	551.15	
98	S55.20°W	551.15	
99	S55.20°W	551.15	
100	S55.20°W	551.15	



.....

2007-210236