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After Recording, Return To:  
Michael E. Knapp, P.C.  
2355 State Street  
Salem, OR 97301

07/11/2016 08:44:54 AM

Fee: \$127.00

All tax statements should be sent to: Unchanged

## GRANT OF EASEMENT

**PARTIES:** Diana J. Fisher, Trustee  
4988 Forsythia Dr.  
Springfield, OR 97478 ("Grantor");

The owners of the properties  
described on the attached Exhibit B ("Grantees").

### RECITALS:

- A. Grantor is the owner of the property (the "Servient Estate") described on the attached Exhibit A, and there are no encumbrances on or title defects concerning the Servient Estate that could adversely affect Grantees' use as described in this Easement.
- B. Grantees, the owners of the properties listed on the attached Exhibit B (collectively, the "Dominant Estate"), own parcels of real property near the Servient Estate and seek to document an access easement that runs from Highway 58 on the southern portion of the Servient Estate, across the Servient Estate, towards the federal land bordering the northeastern portion of the Servient Estate.
- C. Grantor has agreed to provide to Grantees an easement across the Servient Estate, such easement generally being 20 feet wide, as described below, for recreational access.
- D. The parties desire to set forth their agreement for the easement over a portion of the Servient Estate.

### AGREEMENT:

NOW, THEREFORE, for and in consideration of the above recitals, which are incorporated below as if repeated verbatim, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantees agree as follows:

**1. Grant of Easement.** Grantor grants and conveys to Grantees a non-exclusive, 20 foot access easement (the "Easement") over, under, along, and across the Easement which is described in Exhibit C attached hereto and depicted in the sketch attached hereto as Exhibit D. Provided, however, the maximum speed limit across the Easement shall not exceed 25 miles an hour for any snowmobiles when snow is present on the Easement and 15 miles per hours at all times for all vehicles other than snowmobiles and for snowmobiles when snow is not present on the Easement.

**2. Easement Appurtenant.** This Easement is a perpetual easement appurtenant for the non-exclusive beneficial use of Grantees, the invitees of Grantee, the members of the Walker Rim Riders Snowmobile Club, the Oregon State Snowmobile Association, and the Dominant Estate, as described in Exhibit B attached hereto, and runs with title to the Dominant Estate. In the event the Easement is not used for a period of ten (10) consecutive years, the Easement shall be deemed

abandoned and shall terminate.

**3. Maintenance.** Within the 20 foot wide Easement, Grantees shall have the irrevocable right and privilege to place, install, maintain, and inspect the access road on the Easement and necessary appurtenances, including, but not limited to, the right to trim or cut trees within the Easement or the 10 feet bordering the Easement on each side, right of ingress and egress to and over the Easement at any and all times with the purpose of having recreational access to the federal land bordering the northeast corner of the Servient Estate, and for doing anything necessary or reasonably related to the enjoyment and maintenance of the Easement hereby granted. Grantees shall be permitted to take erosion control measures on the Easement. During any and all maintenance, Grantees shall be responsible for all restorations of the premises if at any time Grantees cause damage to the Servient Estate or the Easement. Grantees, upon each and every occasion that the same be repaired, maintained, or removed, shall restore the surface of the Easement by removing all debris and leaving the ground surface in a neat and presentable condition.

**4. Indemnification and Hold Harmless.** Grantees shall indemnify and hold Grantor harmless from all claims arising from Grantees' activities on or about the Easement.

**5. Non-Exclusivity of Easement.** Grantor shall retain the right to use the Servient Estate covered by the Easement, subject only to Grantees' superior rights as specified herein. Grantor shall place or construct no permanent structures over the Easement, but no provision herein shall prevent Grantor from paving the Easement, or placing roads, trails, paths, fencing, and décor to the landscape thereon.

**6. Relocation.** Grantor may, at Grantor's expense, relocate the Easement, provided such relocation is done in a workmanlike manner, complies with any rules and regulations of the city and other applicable jurisdictions, and does not diminish, interrupt, or adversely impact Grantees' use of the Easement.

**7. Notice.** Any notice, tender, or delivery to be given hereunder must be in writing and effected either by personal delivery or registered or certified mail, postage pre-paid, return receipt requested. Notice will be deemed received upon personal delivery or two business days after mailing. Notices must be sent or delivered to the following individuals at the following addresses, or to such other person or at such other place as the owners of record of the properties designate.

**Grantor:**

Diana J. Fisher  
4988 Forsythia Dr.  
Springfield, OR 97478

**Grantees:**

Robert Walsh  
1630 Salem Industrial Dr. NE  
Salem, OR 97301

Douglas Wardell, Jr.  
5401 East Ridge St  
Salem, OR 97306

Mark Bolton  
140108 Dorothy Ln  
Crescent Lake, OR 97733

**8. Arbitration.** Any dispute, controversy, or claim arising out of or relating to this Agreement will be settled by arbitration. Unless the parties otherwise agree, the arbitration will be administered by an arbitrator chosen by agreement of the parties. If the parties cannot agree upon one arbitrator, each party will select one arbitrator who will select a third arbitrator who will hear the

matter. If no such arbitrator can be agreed upon, the arbitrator will be appointed by the presiding judge of Klamath County, Oregon. Judgment on the award rendered by the arbitrator may be entered in the circuit court in the county in which the arbitration occurs, and the resolution of the disputed matter as determined by the arbitrator will be binding on the parties. Any arbitration will be conducted in Klamath Falls, Oregon, in accordance with the following provisions:

- a. Except as otherwise provided in this Section 8, the arbitration will be conducted in accordance with UTCR (Uniform Trial Court Rules).
- b. Arbitration proceedings under this Agreement may be consolidated with arbitration proceedings pending between other parties if the arbitration proceedings arise out of the same transaction or relate to the same subject matter. Consolidation will be by order of the arbitrator in any of the pending cases or, if the arbitrator fails to make such an order, the parties may apply to any court of competent jurisdiction for such an order.
- c. A party may, without inconsistency with this Agreement, seek from a court any interim or provisional relief that may be necessary to protect the rights or property of that party pending the establishment of the arbitration (or pending the arbitrator's determination of the merits of the dispute, controversy, or claim).
- d. The arbitrator will have authority to issue preliminary and other equitable relief.
- e. Discovery proceedings of the type provided by the Oregon Rules of Civil Procedure will be permitted both in advance of and during recesses of the arbitration hearings. Any dispute relating to such discovery will be resolved by the arbitrator.
- f. The arbitrator will have the discretion to order a prehearing exchange of information by the parties and an exchange of summaries of testimony of proposed witnesses.
- g. The arbitrator will have the authority to award any remedy or relief that an Oregon court could order or grant, including specific performance of any obligation created under this Agreement, the issuance of an injunction, or the imposition of sanctions for abuse or frustration of the arbitration process, except that the arbitrator will not have authority to award punitive damages or any other amount for the purpose of imposing a penalty as opposed to compensating for actual damage suffered or loss incurred.
- h. The award will be in writing, will be signed by the arbitrator, and will include a statement regarding the disposition of any claim. The award will be kept confidential to the fullest extent permitted by law.

**9. Time.** Time is of the essence of this agreement.

**10. Entire Agreement.** This Agreement constitutes the entire agreement between the parties and may not be modified except in writing signed by Grantor and a majority of the owners of the Dominant Estate.

**11. Headings.** The paragraph titles are for convenience only and are not to be considered for interpretation of this Easement.

**12. Gender.** Whenever used, the singular includes the plural, the plural, the singular, and the use of any gender includes all genders.

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**GRANTOR:**

**Diana J. Fisher Living Trust,**

**Dated June 7, 1994**

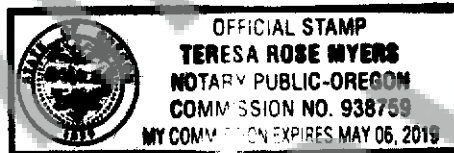
Diana J. Fisher Trustee  
By: Diana J. Fisher, Trustee

Dated: 6-21-2016

STATE OF Oregon )  
COUNTY OF LANE )ss

Subscribed and sworn to before me this 21<sup>st</sup> day of JUNE, 2016, by Diana J. Fisher, Trustee of the Diana J. Fisher Living Trust, dated June 7, 1994.

Teresa Rose Myers  
Notary Public for Oregon  
My Commission Expires: May 06, 2019



**EXHIBIT A**  
**Servient Estate**

Parcel 1 of Land Partition 59-93, as filed for record February 25, 1994, Klamath County Deeds and Records, Klamath County, Oregon.

Said parcel being created by partitioning an undivided one-half interest from the Northeast Quarter of the Northeast Quarter (NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) of Section Eighteen (18) in Township Twenty-four (24) South, Range Seven (7) East of the Willamette Meridian; and

EXCEPT: That portion of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 18, Township 24 South, Range 7 East of the Willamette Meridian which lies Southwesterly from Oregon State Highway No. 58.

**EXHIBIT B**  
**Dominant Estate**

<b>Legal</b>	<b>Street Address</b>
Lot 1 in Block 2 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	140359 Pine Creek Lp, Crescent Lake, OR
Lot 11 in Block 3 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	139841 Pine Creek Lp, Crescent Lake, OR
Lot 10 in Block 3 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	139845 Pine Creek Lp, Crescent Lake, OR
Lot 3 in Block 4 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	139852 Pine Creek Lp, Crescent Lake, OR
Lot 8 in Block 3 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	139957 Pine Creek Lp, Crescent Lake, OR
Lot 7 in Block 3 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	139961 Pine Creek Lp, Crescent Lake, OR
Lot 4 in Block 4 of Tract No. 1052, Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon  ALSO beginning at the southeast corner of Lot 4, Block 4 of Tract No. 1052, Crescent Pines, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; thence North 89 degrees 41 minutes 20 seconds West 180.85 feet to the Southwest corner of said Lot 4; thence South 0 degrees 18 minutes 40 seconds West 100 feet, more or less, to a point on a line 5.0 feet Northerly on the North bank of Crescent Creek; thence Northeasterly along a line 5.0 feet Northerly of said bank to its intersection with the East line of Section 18, Township 24 South, Range 7, E.W.M.; thence North 1 degree 03 minutes, 43 seconds East 70 feet, more or less, to the point of beginning.	139964 Pine Creek Lp, Crescent Lake, OR
Lot 5, Block 3 of Tract No. 1052, Crescent Pines, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.	139970 Pine Creek Lp, Crescent Lake, OR
A tract of land situated in Section 18, Township 24 South, Range 7 East of the Willamette Meridian, more particularly described as follows: Beginning at the intersection of the south line of Pine Creek Loop and the line between lots 6 and 7, Block 3 of Tract No. 1052, Crescent Pines, according to the plat thereof recorded in Klamath County, Oregon, plat records extended southerly; thence Westerly along the south line of said Pine Creek Loop being 60 feet in width to its intersection with the centerline of Bearskin Road, it extended southerly; thence South 0 degrees 18' 40" West, 240 feet, more or less, along the	139976 Pine Creek Lp, Crescent Lake, OR

<p>southerly extension of the centerline of Bearskin Road to a point on a line 5.0 feet northerly of the North bank of Crescent Creek; thence, Easterly along a line 5.0 feet northerly of the North bank of said creek to a point on a line which bears South 0 degrees 18' 40" West from the point of beginning; thence, North 0 degrees 18' 40" East, 290 feet, more or less, to the point of beginning.</p> <p>INCLUDING: All improvements including a well and drain field as well as an A-frame structure with pump house for the well.</p>	
<p>Lot 8 in Block 2 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon</p>	<p>140007 Pine Creek Lp, Crescent Lake, OR</p>
<p>Lot 7 in Block 2 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon</p>	<p>140123 Pine Creek Lp, Crescent Lake, OR</p>
<p>Lot 9 in Block 1 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon Also a Tract of land situated in Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, described as follows: Beginning at the Southwest corner of Lot 9, Block 1, Tract No. 1052; thence South 57°58'24" West 255.42 feet to the Southwest corner of said Lot 9; thence North 89°35'09" West 290 feet, more or less, along the North line of the S ½ of the SE ¼ of Section 18 Township 24 South, Range 7 East of the Willamette Meridian, to a point on a line 5.0 feet Easterly from the Northeasterly bank of Crescent Creek; thence Southeasterly along a line 5.0 feet Northeasterly of the North bank of said creek to a point on a line which bears South 5°30' West from the point of beginning; thence North 5°30' East 500 feet, more or less, to the point of beginning.</p> <p>ALSO, beginning at the Southwest corner of Lot 9, Block 1 of Tract No. 1052 – Crescent Pines, according to the plat thereof recorded in Klamath County, Oregon Plat Records; thence North 89°35'09" West 290 feet, more or less, along the North line of the S ½ of the SE ¼ of Section 18, Township 24 South, Range 7 East, of the Willamette Meridian to the true point of beginning on a line 5.00 feet Northeasterly from the Northeasterly bank of Crescent Creek; thence North 89°35'09" West 30 feet, more or less, to a point on the center line of Crescent Creek; thence Southeasterly along the center line of Crescent Creek, to a point bearing South 5°30' West 530 feet, more or less, from the Southeast corner of said Lot 9, Block 1; thence North 5°30' East 30 feet, more or less, to a point on a line 5.0 feet Northeasterly of the Northeasterly bank of said creek; thence Northeasterly along said line 5.0 feet Northeasterly of the Northeasterly bank of said creek to the true point of beginning in Klamath County, Oregon.</p>	<p>140124 Pine Creek Lp, Crescent Lake, OR</p>
<p>Lot 6 in Block 2 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon</p>	<p>140131 Pine Creek Lp, Crescent Lake, OR</p>
<p>Lot 7 in Block 1 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon</p>	<p>140236 Pine Creek Lp, Crescent Lake,</p>



	OR
Lot 5 in Block 2 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	140239 Pine Creek Lp, Crescent Lake, OR
Lot 4 in Block 2 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	
Lot 5 in Block 1 of Tract 1052, Crescent Pines, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.	140250 Pine Creek Lp, Crescent Lake, OR
Lot 4 in Block 1 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	140356 Pine Creek Lp, Crescent Lake, OR
Lot 3 in Block 1 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	140362 Pine Creek Lp, Crescent Lake, OR
Lot 2 in Block 1 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	140468 Pine Creek Lp, Crescent Lake, OR
Lot 6 in Block 3 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	139705 Bear Skin Rd, Crescent Lake, OR
Lot 9 in Block 2 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	139812 Bear Skin Rd, Crescent Lake, OR
Lot 10 in Block 2 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	139920 Bear Skin Rd, Crescent Lake, OR
Lot 4 in Block 3 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	140024 Bear Skin Rd, Crescent Lake, OR
Lot 2 in Block 3 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon EXCEPTING THEREFROM that portion conveyed in recorded deed on March 10, 1966 in Volume M66, Page 1951, Deed Records of Klamath County, Oregon	140029 Bear Skin Rd, Crescent Lake, OR
Lot 12 in Block 2 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	140132 Bear Skin Rd, Crescent Lake, OR
Lot 13 in Block 2 of Tract 1052 of Crescent Pines, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon	140138 Bear Skin Rd, Crescent Lake, OR
A tract of land situated in Section 18, Township 24 South, Range 7 East of the Willamette Meridian, beginning at the Southeast corner of Lot 9, Block 1 of Tract No. 1052-Crescent Pines, according to the official plat thereof recorded in Klamath County, Oregon Plat Records, said corner being on the Southerly line of Pine Creek Loop (being 60 feet in width) to its intersection with the Southerly extension of a line parallel with and 30.00 feet Westerly from, when	139620 Buzzard Ln, Crescent Lake, OR



<p>measured at right angles, to, the line between Lots 7 and 8, Block 2, of said Crescent Pines; thence South 0°19'40" West 250 feet, more or less, along said parallel line to a point on a line 5.0 feet Northerly of the North bank of Crescent Creek; thence Southwesterly along a line 5.0 feet Northerly of said bank to a point on a line which bears South 5°30' East 500 feet, more or less, to the point of beginning in Klamath County, Oregon.</p>	
<p>The following described real property situated in Klamath County, Oregon:</p> <p>A tract of land situated in the SE ¼ of SE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:</p> <p>Beginning at the Southeast corner of Section 18, Township 24 South, Range 7 East of the Willamette Meridian; thence North along the East line of said Section 18, 560 feet, and the true point of beginning; thence West 365 feet; thence North parallel to the East line of said Section, 476 feet to the center thread of Crescent Creek; thence Northeasterly along said center line to the East line of said Section; thence South along said line, 945 feet, more or less, to the point of beginning.</p> <p>TOGETHER WITH:</p> <p>a non-exclusive easement and right of way for ingress and egress to said premises from Pine Creek Loop, a dedicated street, over a strip of land 60 feet in width, the centerline of which is more particularly described as follows: Beginning at a point on the South line of said Section 18, from which the Southeast corner of said Section 18 bears South 89°08'04" East 840.00 feet; thence from said point of beginning North 01°03'41" East 640.44 feet; thence along the arc of a 125.68 foot radius curve to the left (Delta = 45°21'04"; long chord = North 21°36'51" West 96.90 feet) 99.48 feet; thence along the arc of a 100.00 foot radius curve to the right (Delta = 62°19'30"; long chord = North 13°07'38" West 103.49 feet) 103.78 feet; thence North 18°02'08" East 171.21 feet; thence along the arc of a 200.00 foot radius curve to the left (Delta = 17°43'28"; long chord = North 09°10'23" East 61.62 feet) 61.87 feet; thence North 00°18'40" East 268.72 feet to the Southerly right of way line of Pine Creek Loop road as shown on the official plat of Tract 1052, Crescent Pines. ALSO beginning at a point on the East line of said Section 18, from which the Southeast corner of said Section 18 bears South 01°03'41" West 530.00 feet; thence from said point of beginning North 89°08'04" West 2633.65 feet to a point on the Northsouth centerline of Section 18. ALSO the non-exclusive right to use of the bridge presently installed across Crescent Creek in said easement as part of said easement and right of way.</p>	<p>139451 Buzzard Ln, Crescent Lake, OR</p>
<p>A parcel of land located in the SE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, described as follows:</p> <p>Beginning at the Southeast corner of said Section 18; thence North 01°03'41" East along the East line of said Section 18, a distance of 560.00 feet to a ½ inch iron rod; thence North 89°08'04" West along a line parallel with the South</p>	<p>139507 Buzzard Ln, Crescent Lake, OR</p>

line of said Section 18, a distance of 365.00 feet to a ½ inch iron rod; thence North 01°03'41" East along a line parallel with the said East line, 434.66 feet to a ½ inch iron rod; thence continuing along said parallel line, 42 feet more or less to the center thread of Crescent Creek; thence Westerly along the center thread of Crescent Creek, 515 feet more or less to a point on the Westerly right of way of an easement and right of way recorded May 7, 1979 in Volume M79 Page 11935 Deed Records of Klamath County, Oregon; Thence Southerly along said right of way 40 feet more or less to a ½ inch iron rod; thence continuing Southerly along said right of way South 18°02'08" West, 171.21 feet to a ½ inch iron rod; thence continuing along said right of way along the arch of a 130.00 foot radius curve to the left, 141.41 feet (the chord bears South 13°07'37" East, 134.54 feet to a ½ inch iron rod); thence continuing along said right of way along the arc of a 95.68 foot radius curve to the right, 75.73 feet; (the chord bears South 21°36'51", 73.77 feet to a ½ inch iron rod); thence South 01°03'41" West along said right of way, 80.75 feet to a ½ inch iron rod on the Northerly right of way of an easement recorded December 11, 1978 in Volume M78 Page 27809, Deed Records of Klamath County, Oregon; thence North 89°08'04" West along said Northerly right of way, 455.00 feet to a ½ inch iron rod; thence North 01°03'41" East along a line parallel with the East line of said Section 18, a distance of 397.15 feet to a ½ inch iron rod; thence continuing North 01°03'41" East along said parallel line, 25 feet more or less to the center thread of said Crescent Creek; thence Northwesterly along said center thread, 300 feet more or less to a point that lies North 01°03'41" East, 60 feet from a ½ inch iron rod which is North 89°08'04" West 1575.00 feet, and North 01°03'41" East 1089.38 feet from the point of beginning; thence South 01°03'41" West, 60 feet to said last mentioned iron rod; thence continuing South 01°03'41" West along a line parallel with the East line of said Section 18, 529.38 feet to a ½ inch iron rod; thence North 89°08'04" West along a line parallel with the South line of said Section 18, a distance of 1058.67 feet to a point on the North-South centerline of said Section 18; thence South 01°01'37" West along said centerline, 560.00 feet to the South ¼ corner of said Section 18; thence South 89°08'04" East along the South line of said Section 18, a distance of 2633.33 feet to the point of beginning.

EXCEPTING THEREFROM a parcel of land located in the SE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Commencing at the Southeast corner of said Section 18, thence North 89°08'04" West along the South line of said Section 18, a distance of 870.00 feet to a ½ inch iron rod; thence North 01°03'41" East along a line parallel to the East line of said Section 18, a distance 560.00 feet to a ½ inch rod; thence North 89°08'04" West along a line parallel with the South line of said Section 18, a distance of 455.00 feet to a ½ inch iron rod; at the true point of beginning; thence North 01°03'41" East along a line parallel with said East line 397.15 feet to a ½ inch iron rod; thence continuing North 01°03'41" East 25

<p>feet, more or less to the center thread of Crescent Creek; thence Northwesterly along said center thread, 300 feet more or less to a point that lies North 01°03'41" East, 60 feet from a ½ inch iron rod which is North 89°08'04" West 1575.00 feet, and North 01°03'41" East 1089.38 feet from the Southeast corner of Section 18; thence South 01°03'41" West, 60 feet to said last mentioned iron rod; thence continuing South 01°03'41" West along a line parallel with the East line of said Section 18, 529.38 feet to a ½ inch iron rod; thence North 89°08'04" West along a line parallel with the South line of said Section 18, a distance of 1058.67 feet to a point on the North-South centerline of said Section 18; thence South 01°03'37" West along said centerline, 560.00 feet to the South ¼ corner of said Section 18; thence South 89°08'04" East along the South line of said Section 18, a distance of 1763.33 feet; thence North 01°03'41" East along a line parallel to the East line of said Section 18, a distance of 560.00 feet to a ½ inch iron rod; thence North 89°08'04" West along a line parallel with the South line of said Section 18, a distance of 455.00 feet to a ½ inch iron rod and the point of beginning</p>	
<p>Parcel 1: A parcel of land located in the SE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, described as follows:</p> <p>Commencing at the Southeast corner of said Section 18; thence North 89°08'04" West along the South line of said Section 18, a distance of 870.00 feet to a ½ inch iron rod; thence North 01°03'41" East along a line parallel to the East line of said Section 18, a distance 560.00 feet to a ½ inch iron rod at the true point of beginning; thence North 89°08'04" West along a parallel line with the South line of said Section 18, a distance of 455.00 feet to a ½ inch iron rod; thence North 01°03'41" East along a line parallel with said East line, 397.15 feet to a ½ inch iron rod; thence continuing North 01°03'41" East 25 feet, more or less to the center thread of Crescent Creek; thence Easterly along said center thread, 475 feet more or less to a point on the Westerly right of way of an easement and right of way recorded May 24, 1979 in Volume M79, page 11935, Microfilm Records of Klamath County, Oregon; thence along the arc of a 170.00 foot radius curve to the right 40.00 feet more or less to a ½ inch iron rod at a point of tangency; thence South 18°02'08" West along said right of way 171.21 feet to a ½ inch iron rod; thence continuing along said right of way along the arc of a 130.00 foot radius curve to the left, 141.41 feet (the chord bears South 13°07'37" East, 134.54 feet to a ½ inch iron rod); thence continuing along said right of way along an arc of an 95.68 foot radius curve to the right 75.73 feet, (the chord bears South 21°36'51" East, 73.77 feet to ½ inch iron rod); thence South 01°03'41" West along said right of way 80.75 feet to the true point of beginning.</p> <p>Parcel 2: A non-exclusive easement and right of way for ingress and egress to said parcel from Pine Creek Loop, a dedicated street, over a strip of land 60 feet in width, the centerline of which is described as follows:</p>	<p>139510 Buzzard Ln, Crescent Lake, OR</p>

<p>Commencing at the Southeast corner of said Section 18; thence North 89°08'04" West along the South line of said Section 840.00 feet to the point of beginning for said easement; thence North 01°03'41" East 640.65 feet; thence along the arc of a 125.68 foot radius curve to the left, 99.48 feet (the chord bears North 21°36'51" West, 96.90 feet); thence along the arc of a 100.00 foot radius curve to the right, 108.78 feet, (the chord bears North 13°07'38" West, 103.49 feet); thence North 18°02'08" East, 171.21 feet; thence along the arc of a 200.00 foot radius curve to the left, 61.87 feet, (the chord bears North 9°10'24" East, 61.62 feet); thence North 00°18'40" East, 268.72 feet to the Southerly right of way of Pine Creek Loop Road as shown on the official plat of Tract 1052, CRESCENT PINES. The Southerly terminus of said easement being the South line of said Section 18 and the Northerly terminus being the Southerly right of way said Pine Creek Loop Road.</p>	
<p>A tract of land situated in the SW ¼ NE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:</p> <p>Beginning at an iron pin on the North line of the SW ¼ NE ¼ of said Section 18, said point being West thereon a distance of 463.0 feet from the iron pin marking the Northeast corner of the SW ¼ NE ¼ of said Section 18; thence South 45 degrees West a distance of 279.72 feet to an iron pin; thence continuing South 45 degrees West a distance of 115.0 feet to the centerline of Crescent Creek; thence Northerly and Westerly along the centerline of Crescent Creek to its intersection with the North line of the SW ¼ NE ¼ of said Section 18; thence East along the North line of the SW ¼ NE ¼ of said Section 18, a distance of 25.6 feet to an iron pin; thence continuing East along the North line of the SW ¼ NE ¼ of said Section 18 a distance of 320.4 feet, more or less, to the point of beginning.</p> <p>ALSO an easement appurtenant to the herein described property described as follows: Together with the perpetual easement for ingress and egress from said property over the Northerly 25 feet of that portion of the SW ¼ NE ¼ and SE ¼ NE ¼ of said Section 18 which lies Southwesterly of the Willamette Highway and Easterly of said described property.</p>	<p>140424 Dorothy Ln, Crescent Lake, OR</p>
<p>A tract of land situated in the SW ¼ NE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:</p> <p>Beginning at an iron pin marking the Southeast corner of the SW ¼ NE ¼ of said Section 18; thence North 100.0 feet to an iron pin; thence West a distance of 632.5 feet to the approximate center of Crescent Creek; thence Southerly and Easterly along the center line of Crescent Creek (downstream) to a point which is West a distance of 534.5 feet from the point of beginning; thence East 534.5 feet, more or less, to the point of beginning.</p>	<p>140102 Dorothy Ln, Crescent Lake, OR</p>
<p>A tract of land situated in the SW ¼ NE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more</p>	<p>140108 Dorothy Ln, Crescent Lake,</p>

<p>particularly described as follows:</p> <p>Beginning at an iron pin on the East line of the SW ¼ NE ¼ of said Section 18, said point being North thereon a distance of 100.0 feet from the iron pin marking the Southeast corner of the SW ¼ NE ¼ of said Section 18; thence North along said East line a distance of 110.0 feet to an iron pin; thence West a distance of 611.0 feet to the approximate center of Crescent Creek; thence Southerly along the center line of Crescent Creek (downstream) to a point which is West a distance of 632.5 feet from the point of beginning; thence East a distance of 632.5 feet to the point of beginning, together with the perpetual easement for ingress and egress from said property over the Easterly 25 feet of that portion of the SW ¼ NE ¼ and over the Northerly 25 feet of the SE ¼ NE ¼ of said Section 18 which lies Southwesterly of the Willamette Highway and Northerly and Easterly of said described property but reserving a perpetual easement over the Easterly 25 feet of said described property for ingress and egress to and from land lying South of said described property.</p>	<p>OR</p>
<p>Real property in the County of Klamath, State of Oregon, described as follows:</p> <p>A tract of land situated in the SW ¼ of the NE ¼ and the SE ¼ of NE ¼ of Section 18, Township 24 S. R. 7 E.W.M., more particularly described as follows: Beginning at a point which is N. 01°00'51" E. 352.54 feet and East 33.69 feet from the 1/16<sup>th</sup> corner of the common line between the NE ¼ and the SE ¼ of Section 18; thence West 509.5 feet; thence continuing West 51 feet, more or less, to the flow line of Crescent Creek; thence Northerly and Easterly along said flow line 180 feet, more or less, to the intersection of the North line of said tract which is parallel to and 150 feet, more or less, north of the South line of said tract; thence East 15 feet, more or less, to a steel pin; thence continuing East 433.6 feet to a point; thence S.00°18'41" W. 150.0 feet, more or less, to the point of beginning.</p>	<p>140220 Dorothy Ln, Crescent Lake, OR</p>
<p>A tract of land situated in the SW ¼ NE ¼ and the SE ¼ of the NE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:</p> <p>Beginning at a point which is North 01°00'51" East 502.14 feet and East 31.98 feet from the 1/16<sup>th</sup> corner on the common line between the NE ¼ and the SE ¼ of said Section 18; thence West 433.6 feet; thence continuing West 15 feet, more or less, to the intersection of the North line of said tract which is parallel to and 150 feet, more or less, North of the South line of said tract; thence East 40 feet, more or less, to a steel pin; thence continuing 352.2 feet more or less to a point North of the point of beginning; thence South 00°18'41" West 150.0 feet, more or less, to the point of beginning</p>	<p>140226 Dorothy Ln, Crescent Lake, OR</p>
<p>Parcel 1:</p> <p>A tract of land situated in the NW ¼ of the SE ¼ and the NE ¼ of the SE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian in the County of Klamath, State of Oregon, more particularly described as follows:</p> <p>Beginning at a point which is South 01°00'51" West 6.18 feet and East 38.14</p>	<p>139964 Dorothy Ln, Crescent Lake, OR</p>



<p>feet from the 1/16<sup>th</sup> corner of the common line between the NE ¼ and the SE ¼ of Section 18; thence South 480.0 feet along the so called "false 1/16<sup>th</sup> line" which lies within the NE ¼ of the SE ¼ and is the East of the common 1/16<sup>th</sup> line between the NW ¼ of the SE ¼ and the NE ¼ of the SE ¼ of said Section 18 to the point of beginning; thence West 294.75 feet to a point; thence continuing West 15 feet more or less to the flow line of Crescent Creek; thence Northerly 120 feet more or less along the flow line of said creek to the intersection of the North line of said tract which is parallel to and 120 feet more or less North of the South line of said tract; thence East 15 feet more or less to a point; thence continuing East 321.4 feet to a point; thence South 120.0 feet along the "false 1/16<sup>th</sup> line" to the place of beginning.</p> <p>Parcel 2: A tract of land situated in the NW ¼ of the SE ¼ and the NE ¼ of the SE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at a point which is South 01°00'51" West 6.18 feet and East 28.14 feet from the 1/16<sup>th</sup> corner of the common line between the NE ¼ and the SE ¼ of said Section 18 to the point of beginning; thence West 321.40 feet to a point; thence continuing West 20 feet more or less to the flow line of Crescent Creek; thence Northwesterly 200 more or less along the flow line of said creek to the intersection of the North line of said tract which is parallel to and 120 feet more or less North of the South line of said tract; thence East 112.0 feet more or less to a point; thence continuing East 371.55 feet to a point; thence South 120.00 feet along the "false 1/16<sup>th</sup> line" to the place of beginning.</p>	
<p>A tract of land situated in the NW ¼ of the SE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, as described as follows:</p> <p>Beginning at a point 480 feet South from an iron pin marking the Northeast corner of the NW ¼ SE ¼ of said Section 18; thence 120 feet South to an iron pin; thence approximately 309.6 feet West to the center of Crescent Creek; thence Northerly along the center line of Crescent Creek to a point approximately 309.75 feet West of the point of beginning; thence East approximately 309.75 feet to the point of beginning.</p> <p>TOGETHER WITH a perpetual easement for ingress and egress form said property over the Easterly 25 feet of the NW ¼ SE ¼ and the SW ¼ NE ¼ and the Northerly 25 feet of the SE ¼ NE ¼ of said Section 18 which lies Southwesterly of the Willamette Highway and Northerly and Easterly of said described property, as created by instruments recorded April 8, 1965 in Volume 360, page 523, Deed Records of Klamath County, Oregon, and recorded October 19, 1960 in Volume 324, page 615, Deed Records of Klamath County, Oregon.</p>	<p>139952 Dorothy Ln, Crescent Lake, OR</p>
<p>A tract of land situated in NW ¼ of SE ¼ of Sec. 18, Twp 24 S. R. 7 E. W. M, more particularly described as follows:</p>	<p>139828 Dorothy Ln, Crescent Lake,</p>



<p>Beginning at an iron rod on the East line of SE ¼ of NW ¼ of SE ¼ of Sec. 18, said iron rod being south thereon a distance of 960.0 feet from an iron rod marking the Southeast corner of the SE ¼ of SW ¼ of NE ¼ of Sec 18; thence West a distance of 285.40 feet, more or less, to an iron rod; thence continuing West along this line a distance of 27.0 feet, more or less, to the margin of Crescent Creek; thence continuing West along this line a distance of 18.0 feet, more or less, to the center line said creek; thence Northerly along center line to the intersection of said center line with a line running East parallel to and 120.0 feet, more or less, North of the line beginning; thence East along this line a distance of 20.0 feet, more or less, to the margin of Crescent Creek; thence continuing East along this line a distance of 4.0 feet, more or less, to an iron rod; thence continuing East along this line a distance of 289.10 feet, more or less, to an iron rod situated on the East line of the SE ¼ of NW ¼ of SE ¼ of Sec 18; thence South along this line a distance of 120.0 feet, to the point of beginning, together with the perpetual easement for ingress to and egress from said property over the Easterly 25 feet of NW ¼ SE ¼ and SW ¼ NE ¼ and the Northerly 25 feet of the SE ¼ NE ¼ of said section 18, which lies South Westerly of the Willamette Hwy. and Northerly and Easterly of said described property, but reserving a perpetual easement over the Easterly 25 feet of said described property for egress from and ingress to land lying South and East of said described property in said Sec 18 Twp. 24 S. R. 7 E. W. M.,</p> <p>Subject to rights of governmental bodies in and to that portion of said premises lying below the high water mark of Crescent Creek; to rights of the public in and to any portion of above described property lying within the limits of roads or highways, and to easements and rights of way of record and those apparent on the land.</p>	<p>OR</p>
<p>A tract of land situated in the NW ¼ of SE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:</p> <p>Beginning at an iron rod on the East line of the SE ¼ of NW ¼ of SE ¼ of Section 18, said iron rod being South thereon a distance of 1,200.0 feet from an iron rod marking the Southeast corner of SE ¼ SW ¼ NE ¼ of Section 18; thence West a distance of 226.0 feet, more or less, to an iron rod; thence West along this line a distance of 34.0 feet, more or less to the edge of a marsh; thence continuing West along this line a distance of 30.0 feet, more or less, to the margin of Crescent Creek; thence West along this line a distance of 20.0 feet, more or less, to the centerline of said creek; thence Northerly along said centerline to the intersection of said centerline with a line running East parallel to and 120.0 feet, more or less, North of the line of beginning; thence East along this line a distance of 15.0 feet, more or less, to the margin of Crescent Creek; thence continuing East along this line a distance of 30.0 feet, more or less to the edge of a marsh; thence continuing East along this line a distance of 19.0 feet, more or less, to an iron rod; thence continuing East along this line a distance of 272.10 feet, more or less to an iron rod situated on the East line of the SE ¼ NW ¼ SE ¼ of Section 18; thence South along this line a distance</p>	<p>139716 Dorothy Ln, Crescent Lake, OR</p>

of 120.0 feet to the point of beginning.	
<p>PARCEL 1:</p> <p>A tract of land situated in the NW ¼ and the NE ¼ of the SE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:</p> <p>Beginning at a point which is South 01°00'51" West 6.18 feet and East 38.14 feet from the 1/16<sup>th</sup> corner of the common line between the NE ¼ and the SE ¼ of said Section 18; thence South 1,200.0 feet along the so called "false 1/16<sup>th</sup> line" which lies within the NE ¼ and is East of the common 1/16<sup>th</sup> line between the NW ¼ and the NE ¼ of the SE ¼ of said Section 18 to the point of beginning; thence West 226.0 feet to a point; thence continuing West 79 feet more or less to the flow line of Crescent Creek; thence Southerly along the flow line of said creek 100 feet more or less to the intersection of the common 1/16<sup>th</sup> line between the NW ¼ and the SW ¼ of the SE ¼ of said Section 18; thence East 15 feet more or less along said 1/16<sup>th</sup> line to a point; thence continuing East along same said 1/16<sup>th</sup> line 297 feet more or less to a point; thence North 95.8 feet more or less along the said "false 1/16<sup>th</sup> line" near the Easterly edge of the NE ¼ of the SE ¼ of said Section 18 to the point of beginning.</p> <p>TOGETHER WITH an easement for ingress, egress and utilities as created by deed recorded April 18, 1966 in Volume M66, page 3345, Microfilm Records of Klamath County, Oregon</p> <p>PARCEL 2:</p> <p>An undivided ¼ in and to the following:</p> <p>A strip of land lying in the SE ¼ NE ¼ of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:</p> <p>Beginning at the NW ¼ corner of SE ¼ NE ¼; thence South along the common line between the SW ¼ NE ¼ and SE ¼ NE ¼, 25 feet to the NW ¼ corner of that property conveyed to Stewart Laughlin, et ux., in Deed Volume M66, at page 1952; thence South 89°54'39" East 200.28 feet along the North line of said Laughlin property to a point on the Westerly right of way line of a State Highway; thence Northwesterly along said Westerly right of way line to its intersection with the North line of the SE ¼ NE ¼; thence North 89°54'39" West along said North line of SE ¼ NE ¼ to the point of beginning.</p>	<p>139710 Dorothy Ln, Crescent Lake, OR</p>

**EXHIBIT C**  
**Description of Easement**

A meandering path starting on Willamette Highway 58 bordering the southwest portion of the Servient Estate at approximately N 43°29.853 W 121°55.636, roughly passing through the following coordinates: N 43°29.862 W 121°56.632, N 43°29.887 W 121°55.655, N 43°29.930 W 121°55.644, N 43°29.957 W 121°55.648, N 43°30.028 W 121°55.654, N 43°30.033 W 121°55.605, N 43°30.037 W 121°55.500, N 43°30.011 W 121°55.444, and terminating at the boundary with the US Forest Service property on the northeast portion of the Servient Estate at roughly N 43°29.993 W 121°55.364.

EXHIBIT D  
Map of Easement

