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Robert Warnick

AGREEMENT FOR EASEMENT

This agreement is made on this 1st day of February, 2017, between Robert F. Warnick and Beth M. Warnick of 13363 Crystal Springs Road, Klamath Falls, OR, hereafter called the first party, and Lynn D. Mortenson and Anne W. Mortenson of 13371 Crystal Springs Road, Klamath Falls, OR, hereafter called the second party. This agreement for easement supercedes and replaces the agreement for easement between Robert F. Warnick, Beth M. Warnick, Lynn D. Mortenson, and Ann Mortenson recorded on October 16, 1990, instrument No.: M90 20875.

The first and second parties recite and declare as follows:

- A. The parties have an interest in adjoining real estate situated in the NE quarter (NE1/4) of the SE quarter (SE1/4) of section 22, township 39S, Range 10E, Willamette Meridian. The first party owns Lot 6 and the second party owns Lot 7 of Block 1, Tract No. 1251 OLENE HILLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, as shown in the attached sketches.
- B. The parties have created a common driveway between the above described adjoining lots owned by them for the benefit of each of them as shown on the attached sketch. This common driveway has been mutually and acceptably used by both the first party and the second party for the past 26 years.
- C. In consideration of the above recitals, past practices, and the terms and covenants of this agreement, the parties agree as follows:
 1. An easement for a common driveway in favor of the first party is created over the strip of land owned by the second party. The driveway is nominally 12 ½ feet wide except it is wider at and between the entrances to the first party's driveways.
 2. An easement for a common driveway in favor of the second party is created over the strip of land owned by the first party.
 3. Maintenance of the first approximately 500+/-1 feet (as measured on the centerline) of the driveway (an imaginary

line between the Juniper tree on the north of the driveway and the rock wall south of the driveway that is approximately 25 feet northeast of the first parties east or upper concrete driveway) will be divided on an equal basis, share and share alike. Maintenance above (east of) that line will be borne solely by the second party.

4. The easement created by this document is superior to and supercedes any previous driveway easements and the parties further agree that it is a covenant that shall reside with the land in perpetuity.

In witness whereof, the parties hereto have executed this easement in duplicate.

Dated 2/1/2017

Robert F. Warnick

Robert F. Warnick

Beth M. Warnick

Beth M. Warnick

Dated 2/1/2017

Lynn D. Mortenson

Lynn D. Mortenson

Anne W. Mortenson

Anne W. Mortenson

State of OREGON

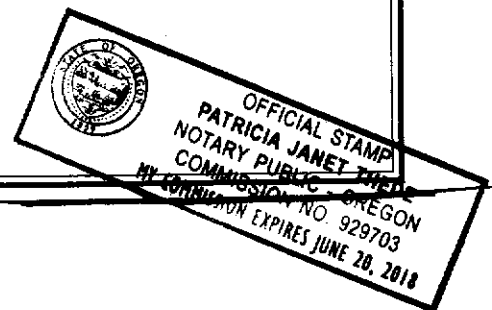
County of Klamath



Signed or attested before me on 2/1 2017 by Robert Warnick, Beth Warnick, Lynn Mortenson and Anne Mortenson.

Patricia Janet Thede

Notary Public - State of Oregon



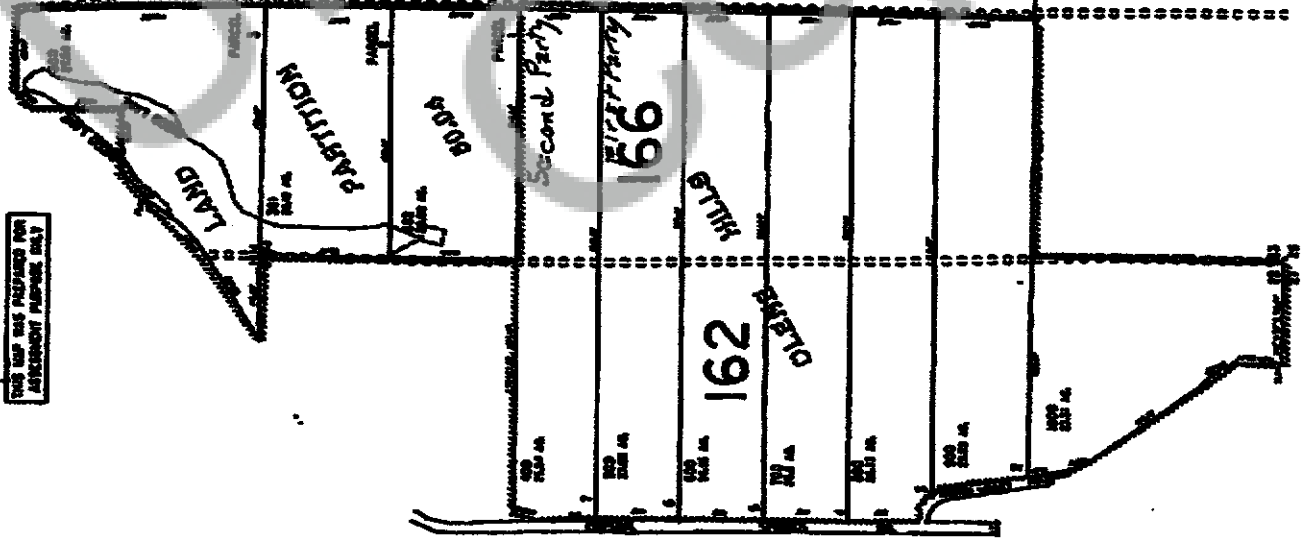
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSES ONLY

FOR SEC. 14, 15, 22 & 23 T. 39S. R. 10E. W.M.

KLAMATH COUNTY

1" = 400'

39 10 23



39 10 23

98 feet

CRYSTAL SPRINGS ROAD

400
26.84 AC.

Second Party

7

500
27.02 AC.

First Party

6

600
26.95 AC.

162

5

700
26.88 AC.

OLENE HILLS

4

166

800
26.73 AC.

3

900
26.23 AC.

2

1000
25.31 AC.

1

HIDDEN VALLEY RD. 51

24.28

100.71 94.15

207.80

89.17

1310.24

435.67

440.02

440.01

440.02

440.19

514.47

1327.02

1088.07