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NO PART OF ANY STEVENS-NESS FORM MAY BE REPRO

2017-010242

Klamath County, Oregon



00209818201700102420030030

09/11/2017 01:27:24 PM

Fee: \$52.00

EASEMENT FOR AUTOMOBILE DRIVEWAY

Donny D. Burklow

135878 Hwy 97

Crescent, Oregon 97733

First Party's Name and Address

Allen D and Patricia J Putman

135873 Riverview St PO Box 86

Crescent, Oregon 97733

Second Party's Name and Address

After recording, return to (Name and Address):

Allen D and Patricia J Putman

Po Box 86

Crescent, Oregon 97733

SPACE RESERVED
FOR
RECORDER'S USE

THIS AGREEMENT made and entered into on Sept 11, 2017, by and
between Donny D Burklow

hereinafter called first party, and Allen D and Patricia J Putman

, 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*):

A non-merger driveway easement thru tax lot 1500 to tax lot 1801

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

Allen D and Patricia J Putman

135873 Riverview st. PO Box 86

Crecent, Oregon 97733

tax lot 1500 exhibit A and tax lot 1801 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: \$1.00

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*):

A non-merger driveway easement for:

An existing 12' wide driveway thru tax 1500 for the purpose of ingress and egress to the second party to grant access for tax lot 1801 to the nearest public road.

(CONTINUED)

Returned at Counter

52



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 _____% and the second party responsible for _____%. (If the last alternative is selected, the percentages allocated to each party should total 100).

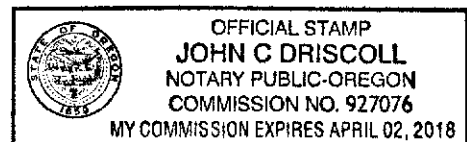
During the existence of this easement, holders of an interest in the easement who are responsible for damage to the easement because of negligence or abnormal use shall repair the damage at their sole expense.

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.

[Signature]

FIRST PARTY

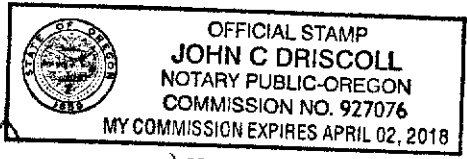


STATE OF OREGON, County of Klamath ss.
 This instrument was acknowledged before me on September 11, 2017
 by Denny D. Burklow
 This instrument was acknowledged before me on September 11, 2017
 by Denny D. Burklow
 as _____
 of _____

[Signature]
 Notary Public for Oregon
 My commission expires April 2, 2018

Allen D. Putman
Patricia J. Putman

SECOND PARTY



STATE OF OREGON, County of Klamath ss.
 This instrument was acknowledged before me on September 11, 2017
 by Allen D. Putman and Patricia J. Putman
 This instrument was acknowledged before me on September 11, 2017
 by Allen D. Putman and Denny D. Burklow
 as _____
 of _____

[Signature]
 Notary Public for Oregon
 My commission expires April 2, 2018

3-B
EXHIBIT 'A'
LEGAL DESCRIPTION

* **PARCEL 2:** Tax Lot 1500

A parcel of land situate in the NW1/4 NW1/4 of Section 31, Township 24 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point along the West line of Section 31 from which the N 1/16 corner common to Sections 31 and 36 bears South 00 degrees 05' 43" West 184.61 feet; thence along the West line of Section 31, North 00 degrees 05' 43" East 232.06 feet to a point; thence along a line at right angle to U.S. Highway 97, South 64 degrees 43' 17" East 186.39 feet to a #5 steel rod; thence along a line parallel with U.S. Highway 97 and 250 feet from the centerline thereof, South 25 degrees 16' 43" West 180.00 feet to a #5 steel rod; thence along a line at right angle to U.S. Highway 97, South 64 degrees 43' 17" East 200.00 feet to a #5 steel rod along the Northwest line of U.S. Highway 97 and 50 feet from the centerline thereof; thence along the Northwest line of U.S. Highway 97, South 25 degrees 16' 43" West 30.00 feet to a point thence along a line at right angle to U.S. Highway 97, North 64 degrees 43' 17" West 287.64 feet to the point of beginning.

With bearings based on Survey #3512 as filed with the Klamath County Engineers Office.

Exhibit B
Legal Description

1301

PARCEL 3

A parcel of land situate in the NW1/4 of the NW1/4 of Section 31, Township 24 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and more particularly described as follows:

Beginning at a point along the West line of Section 31 from which the N/16 corner common to Sections 31 and 36 bears South 00 degrees 05' 43" West 416.67 feet; thence along the West line of Section 31, North 00 degrees 05' 43" East 331.51 feet to a point; thence along a line at right angle to U.S. Highway 97, South 64 degrees 43' 17" East 327.45 feet to a point; thence along a line parallel with U.S. Highway 97 and 250 feet from the centerline thereof, South 25 degrees 16' 43" West 120.00 feet to a #5 steel rod; thence along a line at right angle to U.S. Highway 97, South 64 degrees 43' 17" East 200.00 feet to a #5 steel rod along the Northwest line of U.S. Highway 97 and 50 feet from the centerline thereof; thence along the Northwest line of U.S. Highway 97, South 25 degrees 16' 42" West 60.00 feet to a #5 steel rod; thence along a line at right angle to U.S. Highway 97, North 64 degrees 43' 17" West 200.00 feet to a #5 steel rod; thence along a line parallel with U.S. Highway 97, South 25 degrees 16' 43" West 120.00 feet to a #5 steel rod; thence along a line at right angle to U.S. Highway 97, North 64 degrees 43' 17" West 186.39 feet to the point of beginning.

With bearings based on Survey #3512 as filed with the Klamath County Engineers Office.