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2017-010243

Klamath County, Oregon



00209819201700102430030037

09/11/2017 01:27:48 PM

Fee: \$52.00

**EASEMENT FOR AUTOMOBILE DRIVEWAY**

Allen D. and Patricia J. Putman

135873 Riverview St. PO Box 86

Crescent, Oregon 97733

First Party's Name and Address

Donny D. Burklow

135878 Hwy 97

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

Returned at Counter

THIS AGREEMENT made and entered into on Sept 11, 2017, by and  
 between Allen D. and Patricia J. Putman  
 hereinafter called first party, and Donny D. Burklow

, 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):

Tax lot 1500 exhibit A and tax lot 1801 exhibit B

and second party is  
 Donny D. Burklow  
 135878 Hwy 97  
 Crescent, Oregon 97733

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)



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.

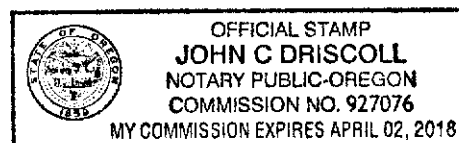
Maintenance and the cost of maintenance of all of the real estate described in this easement, if damaged by natural disasters or other events for which all holders of an interest in the easement are blameless, shall be the responsibility of (check one): ☒ both parties, share and share alike; ☐ both parties, 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.

Allen D. Putman  
Patricia J. Putman  
FIRST PARTY



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

John C. Driscoll

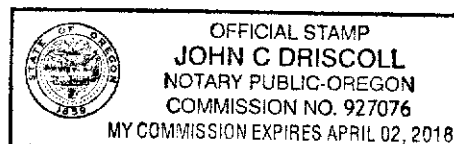
Notary Public for Oregon

My commission expires April 2, 2018

Donny D. Burklow

SECOND PARTY

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



John C. Driscoll

Notary Public for Oregon

My commission expires April 2, 2018

3-15  
**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

1901

**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.