

2018-005473

Klamath County, Oregon



00221718201800054730070070

05/02/2018 10:17:16 AM

Fee: \$72.00

After recording, return to:  
Brandsness, Brandsness & Rudd, P.C.  
411 Pine Street  
Klamath Falls, OR 97601

**Grantor:**

Stephen J. Traynham, Jr.,  
and Jamie R. Traynham  
P.O. Box 100  
Maxwell, CA 95955

**Grantee:**

Fort Klamath Ranch Enterprizes, LLC,  
P.O. Box 408  
Fort Klamath, OR 97626

**EASEMENT**

**DATED:** April 5, 2018

**GRANTOR:** Stephen J. Traynham, Jr. and  
Jamie R. Traynham  
P.O. Box 100  
Maxwell, CA 95955

**GRANTEE:** Fort Klamath Ranch Enterprizes, LLC,  
an Oregon limited liability company  
P.O. Box 408  
Fort Klamath, OR 97626

**WITNESSETH**

WHEREAS, Grantor is the record owner of the real property described on the attached Exhibit "A" and has the unrestricted right to grant the easement hereinafter described relative to said real property.

Grantor conveys to Grantee, its heirs, successors, and assigns, a perpetual non-exclusive easement across the property of the Grantor, more particularly described on the attached Exhibit "B".

The terms of this easement are as follows:

1. Grantee, its agents, independent contractors and invitees shall use the easement for road purposes only, for access to the property described in paragraph 7 and in conjunction with such use may construct, reconstruct, maintain and repair a road thereon.
2. Grantor reserve the right to use, construct, reconstruct and maintain the road located upon the easement. The parties shall cooperate during periods of joint use so that each party's use shall cause a minimum of interference to the others, however, in case of conflict, Grantees' right of use shall be dominant.
3. Grantee agrees to indemnify and defend Grantor from any loss, claim or liability to Grantor arising in any manner out of Grantee's use of the easement. Grantee assumes all risks arising out of its use of the easement and Grantor shall have no liability to Grantee or others for any condition existing thereon.

That portion of the SW1/4 SW1/4 of Section 23, Township 33 South, Range 7 1/2 East of the Willamette Meridian, lying East of State Highway 62; EXCEPTING therefrom a strip of land conveyed to Randy J. Sparacino, et ux, described as follows:

Beginning at a point on the East line of the SW1/4 SW1/4 of Section 23, Township 33 South, Range 7 1/2 East of the Willamette Meridian, from which point a 5/8" rebar with aluminum cap marking the SW1/16 corner of said Section 23 as set during R.O.S. No. 3749 bears North 00°04'11" West 350.00 feet; thence South 89°55'49" West 8.00 feet; thence South 00°04'11" East 338.00 feet; thence North 89°55'49" East 8.00 feet to a point on the East line of said SW1/4 SW1/4; thence along said East line North 00°04'11" West 338.00 feet to the point of beginning.

Description for Easement

A tract of land situated in the SW¼SW¼ of Section 23, Township 33 South, Range 7½ East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the east line of said SW¼SW¼ from which the northeast corner thereof bears North 00°04'11" West 350.00 feet; thence North 00°04'11" West 50.00 feet; thence South 21°46'54" West 53.85 feet to a point lying S89°55'49"W 20.00 feet from the point of beginning; thence parallel to and 20.00 feet from said east line South 00°04'11" East 338.00 feet; thence North 89°55'49" East 12.00 feet; thence parallel to and 8.00 feet from said east line North 00°04'11" West 338.00 feet; thence North 89°55'49" East 8.00 feet to the point of beginning; containing 0.10 acres, more or less, with bearings based on County Survey 5732.

2014-08-28  
3112-01



SCALE: 1" = 60'

NE CORNER  
SW $\frac{1}{4}$ SW $\frac{1}{4}$  SEC. 23

N00°04'11"W  
350.00

S21°46'54"W  
53.85

S89°55'49"W  
20.00

50.00

POINT OF  
BEGINNING

N89°55'49"E  
8.00

EAST LINE OF  
SW $\frac{1}{4}$ SW $\frac{1}{4}$  SEC. 23

20.00

N00°04'11"W 338.00  
S00°04'11"E 338.00

8.00

N89°55'49"E  
12.00

**ADKINS**

CONSULTING  
ENGINEERING, LLP

Engineers ▲ Planners ▲ Surveyors

2850 Shasta Way • Klamath Falls, Oregon 97603 • (541) 884-4866 • FAX (541) 884-5335

Oregon • California

August 28, 2011

3112-01

MAP OF EASEMENT  
IN SW $\frac{1}{4}$ SW $\frac{1}{4}$  SEC. 23,  
T33S, R7 $\frac{1}{2}$ EWM  
KLAMATH COUNTY,  
OREGON

EXHIBIT

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**PARCEL 1**

The SW ¼ of the SE ¼ and the SE ¼ of the SW ¼, Section 23, Township 33 South, Range 7 ½ East of the Willamette Meridian, Klamath County, Oregon.

**PARCEL 2**

All of that portion of the NE ¼ of NW ¼ of Section 26, Township 33 South, Range 7 ½ East of the Willamette Meridian, Klamath County, Oregon, East of Fort Creek and which lies North of the Creek known as Short Creek which Creek runs from the Northeast corner of said "40" in Southwesterly direction into Fort Creek.

**PARCEL 3**

A strip of land located in the SW ¼ SW ¼ of Section 23, Township 33 South, Range 7 ½ East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the East line of the SW ¼ SW ¼ of Section 23, Township 33 South, Range 7 ½ East of the Willamette Meridian, Klamath County, Oregon, from which point a 5/8" rebar with aluminum cap marking the SW 1/16 corner of said Section 23 as set during R.O.S. No. 3749 bears North 00° 04' 11" West 350.00 feet; thence South 89° 55' 49" West 8.00 feet; thence South 00° 04' 11" East 338.00 feet; thence North 89° 55' 49" East 8.00 feet to a point on the East line of said SW ¼ SW ¼ thence along said East line North 00° 04' 11" West 338.00 feet to the point of beginning.

4. This easement is appurtenant and for the benefit of the real property owned by Grantee and described below in paragraph 7.


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

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

7. The Grantee's dominant estate property to which this easement is appurtenant is described on the attached Exhibit "C".


IN WITNESS THEREOF, the parties have caused this instrument to be executed as of the date above.

GRANTOR:

  
Stephen J. Traynham, Jr.

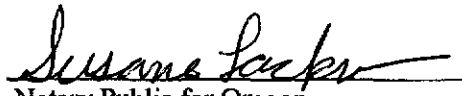
  
Jamie R. Traynham

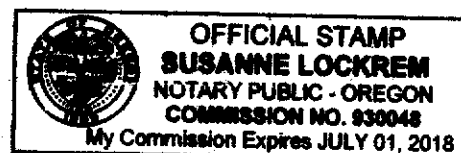
GRANTEE:

  
Fort Klamath Ranch Enterprizes, LLC  
By: Darryl W. Goodson  
Its: Member

STATE OF OREGON    )  
                                  ) ss.  
County of Klamath    )

Personally appeared before me this 1 day of May, 2018, the above-named Darryl Goodson, who stated he is the authorized member of Fort Klamath Ranch Enterprizes, LLC and that said instrument was signed on behalf of said limited liability company and he acknowledged said instrument was its voluntary act and deed. Before me:

  
Notary Public for Oregon  
My Commission expires: 1-July 2018



### ACKNOWLEDGEMENT

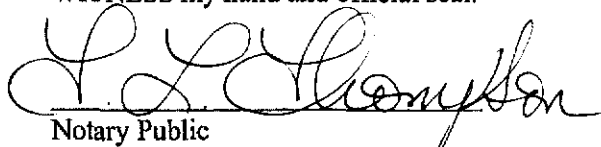
A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA     )  
  ) ss.  
County of Colusa     )

On 4/5/, 2018 before me, T. L. Thompson, Notary Public, personally appeared Stephen J. Traynham, Jr., who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument is the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

  
Notary Public



### ACKNOWLEDGEMENT

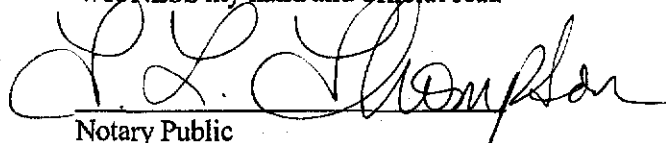
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STATE OF CALIFORNIA     )  
  ) ss.  
County of Colusa     )

On 4/5/, 2018 before me, T. L. Thompson, Notary Public, personally appeared Jamie R. Traynham, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument is the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

  
Notary Public

