

ENCROACHMENT AGREEMENT

Recording Cover Sheet

ORS 205.234

256948-AM

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any error in this cover sheet **DOES NOT** affect the transactions contained in the instrument itself.

1 AFTER RECORDING RETURN TO:

Amerititle, Inc.
300 Klamath Avenue
Klamath Falls, OR 97601

2. TITLE(S) OF THE TRANSACTION(S)

Encroachment Agreement

3. Between

Brian A. Powell and Sarah A. Powell, tenants by the entirety
4422 LaHabra Way
Klamath Falls, OR 97603

4. And

Estate of Donna J. Fletcher
4420 LaHabra Way
Klamath Falls, OR 97603

5. UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS

N/A

6. TRUE AND ACTUAL CONSIDERATION

N/A

7. TAX ACCOUNT NUMBER OF THE PROPERTY

R-3909-012CD-02500-000 and
R-3909-012CD-02400-000

107-444

NOTICE OF ENCROACHMENT

DATE: October 1,
September 2018

We, Brian A. Powell and Sarah A. Powell, as tenants by the entirety, are the owners of the real property located at 4422 La Habra Way, Klamath Falls, OR 97603, legally described as Lot 8 in Block 20 of TRACT 1127, NINTH ADDITION TO SUNSET VILLAGE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, declare that this parcel is being encroached upon by approximately 0.2 feet by an outbuilding (shed) associated with the neighboring property on the north, located at 4420 La Habra Way, Klamath Falls, OR 97603, legally described as Lot 7 in Block 20 of TRACT 1127, NINTH ADDITION TO SUNSET VILLAGE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, which is currently owned by the Estate of Donna J. Fletcher. This encroachment was discovered during a survey of Lot 7 in Block 20 of TRACT 1127, NINTH ADDITION TO SUNSET VILLAGE, conducted by Tru-Line Surveying, Inc.

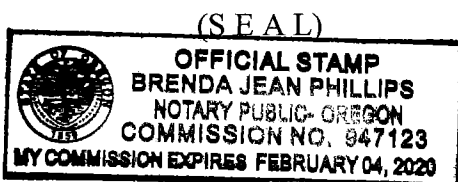
The attached letter from Tru-Line Surveying's Dennis A. Ensor, dated December 10, 2002, confirms the existence of the encroachment.

/s/ [Signature]
Brian A. Powell

/s/ [Signature]
Sarah A. Powell

STATE OF OREGON, County of Klamath)ss. October 1, 2018

Personally appeared the above named Brian A. Powell and Sarah A. Powell, and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me: [Signature]
Notary Public for OREGON
My Commission Expires: 2-4-2020

Notary Jurat for Notice of Encroachment

The Estate of Donna J. Fletcher

Keli Jean Lankford
Keli Jean Lankford, Co-Personal Representative



State of California
County of _____

On this _____ day of October, 2018, personally appeared before me Keli Jean Lankford, and acknowledged the foregoing instrument to be his/her/their voluntary act and deed as Co-Personal Representative of the Estate of Donna J. Fletcher.

WITNESS My hand and official seal.

See Attached

Notary Public for California

My Commission expires: _____

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

LYNN PAJUNEN
 Commission # 2256552
 Notary Public - California
 Ventura County
 My Comm. Expires September 27, 2022

1 _____
 2 _____
 3 _____
 4 _____
 5 _____
 6 _____

Signature of Document Signer No. 1

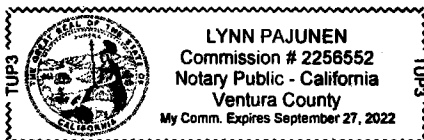
Signature of Document Signer No. 2 (if any)

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
 County of Ventura

Subscribed and sworn to (or affirmed) before me
 on this 9 day of October, 2018,
 by _____
 (1) Keli Jean Lankford

(and (2) _____),
 Name(s) of Signer(s)



proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.

Signature Lynn Pajunen
 Signature of Notary Public

Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Notice of Encroachment Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Notary Jurat for Notice of Encroachment

The Estate of Donna J. Fletcher

James A. Fletcher, CO Representative
James A. Fletcher, Co-Personal Representative

State of Oregon
County of Klamath

On this 10 day of October, 2018, personally appeared before me James A. Fletcher, and acknowledged the foregoing instrument to be his/her/their voluntary act and deed as Co-Personal Representative of the Estate of Donna J. Fletcher.

WITNESS My hand and official seal.

[Signature]
Notary Public for Oregon
My Commission expires: March 15, 2022



FROM TRU-LINE SURVEYING, INC

FAX NO 541-884-3691

Dec 23 2002 09 26 AM P2

OWNERS

DENNIS ENSOR O.L.S. CWRE
SANDIE ENSOR

TRU SURVEYING, INC LINE

2333 SUMMERS LANE
KLAMATH FALLS OREGON 97603
PHONE (541) 884-3691

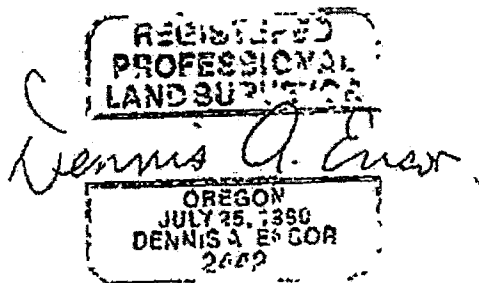
JOHN HEATON & SUT
CHAD ENSOR & SUT

DECEMBER 19 2002

TO WHOM IT MAY CONCERN:

I, DENNIS A. ENSOR, A REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT JOHN M. HEATON AND DONALD J. MILLER INSPECTED THE RESIDENCE SITUATED ON LOT 8 IN BLOCK 20 OF "TRACT 1127 - NINTH ADDITION TO SUNSET VILLAGE", A DULY RECORDED SUBDIVISION. I FURTHER CERTIFY THAT THE SUBJECT RESIDENCE DOES NOT ENCROACH ONTO ADJACENT PROPERTIES, HOWEVER A SHED WITH A FOUNDATION ON LOT 7 IN BLOCK 20 OF THE SAID SUBDIVISION ENCROACHES 0.2 FEET ONTO THE SUBJECT LOT 8.

Dennis A. Ensor
DENNIS A. ENSOR O.L.S. 2442



EXPIRES 12/31/03