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Brandsness, Brandsness & Rudd, P.C.  
Attorneys at Law  
411 Pine Street  
Klamath Falls, OR 97601

**Grantor:**  
Michael E. and Laurie J. Ross  
P. O. Box 504  
Merrill, OR 97633  
**Grantee:**  
Lloyd E. and Shirley L. Ross  
P.O. Box 92  
Midland, OR 97634  
**Consideration:** \$0.00

2020-002765

Klamath County, Oregon



00255632202000027650060062

03/05/2020 08:33:23 AM

Fee: \$107.00

### EASEMENT

THIS AGREEMENT, made and entered into this 4<sup>th</sup> day of March, 2020, by and between Michael E. Ross and Laurie J. Ross, whose address is P.O. Box 504, Merrill, OR 97633, hereinafter called Grantors, and Lloyd E. Ross and Shirley L. Ross, whose address is P.O. Box 92, Midland, OR 97634, hereinafter called Grantees:

### WITNESSETH

WHEREAS, Grantors are the record owner of the real property, located in Klamath County, State of Oregon and further described on the attached Exhibit "A," and have the unrestricted right to grant the easement hereinafter described relative to said real property.

Grantors convey to Grantees, their heirs, successors, and assigns, a perpetual non-exclusive easement across the property of the Grantors, more particularly described on the attached Exhibit "B"

The terms of this easement are as follows:

1. Grantees, their agents, independent contractors and invitees shall use the easement for road purposes only, for access to the property described on the attached Exhibit "C" and in conjunction with such use may construct, reconstruct, maintain and repair a road thereon.

2. Grantors reserve the right to use, construct, reconstruct and maintain the road located upon the easement and Grantor may grant use rights for use by third parties. The parties shall cooperate during periods of joint use so that each parties' use shall cause a minimum of interference to the others, however, in case of conflict, Grantors' right of use shall be dominant.

3. Grantors reserve the right to relocate the road at any time and in such case shall reconstruct a road at such new location in as good or better condition as existed at the prior location. If the road is relocated, Grantors may record an instrument indicating the relocated road easement and such instrument shall serve to amend this easement and eliminate any rights of Grantees in the original easement. Such amendment of the description shall be effective whether or

not signed by Grantees but Grantees shall execute it or such other document necessary to indicate relocation of the easement, when and if requested by Grantors.

4. Grantees agree to indemnify and defend Grantors from any loss, claim or liability to Grantors arising in any manner out of Grantees' use of the easement. Grantees assume all risks arising out of their use of the easement and Grantors shall have no liability to Grantees or others for any condition existing thereon.

5. This easement is appurtenant and for the benefit of the real property owned by Grantees and described on the attached Exhibit "C".

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

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


IN WITNESS THEREOF, the parties have caused this instrument to be executed this day of March, 2020.

**Grantors:**

Mr & Mrs

---

**Michael E. Ross**

  
Laurie J. Ross

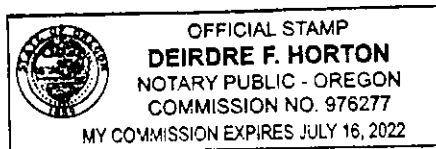
~~Laurie J. Ross~~

STATE OF OREGON)

) SS.

County of Klamath )

Personally appeared before me this 4<sup>th</sup> day of March, 2020, the above-named Michael E. Ross and Laurie J. Ross, Grantors, and acknowledged the foregoing instrument to be their voluntary act and deed.



Henry A. Oltm

Notary Public for Oregon

My Commission expires: 7/16/2022

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**Grantees:**

Lloyd E. Ross  
Lloyd E. Ross

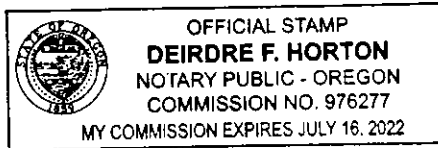
Shirley L. Ross  
Shirley L. Ross

STATE OF OREGON)

) ss.

County of Klamath )

Personally appeared before me this 4<sup>th</sup> day of March, 2020, the above-named Lloyd E. Ross and Shirley L. Ross, Grantees, and acknowledged the foregoing instrument to be their voluntary act and deed.



Deirdre Horton  
Notary Public for Oregon  
My Commission expires: 7/16/2022

**Exhibit A**  
**PARCEL 2 PLA 10-19**

AN AREA OF LAND IN LOT 2 OF SECTION 28, TOWNSHIP 40 SOUTH, RANGE 9 EAST, OF THE WILLAMETTE MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE 1/4 SECTION CORNER COMMON TO SECTIONS 28 AND 21, THENCE SOUTH 89°52'11" EAST A DISTANCE OF 1307.79 FEET TO THE E1/16 SECTION CORNER COMMON TO SECTIONS 28 AND 21; THENCE SOUTH 00°00'19" WEST A DISTANCE OF 1165.15 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°00'19" WEST A DISTANCE OF 154.85 FEET; THENCE NORTH 89°25'26" WEST A DISTANCE OF 20.00 FEET; THENCE SOUTH 00°00'19" WEST A DISTANCE OF 492.21 FEET; THENCE NORTH 69°32'26" WEST A DISTANCE OF 512.08 FEET; THENCE NORTH 00°08'34" EAST A DISTANCE OF 478.39 FEET; THENCE SOUTH 88°47'30" EAST A DISTANCE OF 498.75 FEET TO THE POINT OF BEGINNING, CONTAINING 6.26 ACRES, MORE OR LESS.

THE BASIS OF BEARING FOR THIS LEGAL DESCRIPTION IS GRID NORTH OF THE BEND-KLAMATH FALLS ZONE OF THE OREGON COORDINATE REFERENCE SYSTEM.

**Exhibit B**  
**INGRESS AND EGRESS EASEMENT**

A NON-EXCLUSIVE INGRESS AND EGRESS EASEMENT LOCATED IN PARCEL 2 OF PLA 10-19, KLAMATH COUNTY RECORDS, GOVERNMENT LOT 2, OF SECTION 28, TOWNSHIP 40 SOUTH, RANGE 09 EAST, WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF PARCEL 2 OF PLA 10-19, THENCE SOUTH 00°00'19" WEST A DISTANCE OF 154.85 FEET; THENCE NORTH 89°25'26" WEST A DISTANCE OF 50.00 FEET; THENCE NORTH 00°00'19" EAST A DISTANCE OF 30.00 FEET; THENCE SOUTH 89°25'26" EAST A DISTANCE OF 20.00 FEET; THENCE NORTH 00°00'19" EAST A DISTANCE OF 125.18 FEET; THENCE SOUTH 88°47'30" EAST A DISTANCE OF 30.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 0.12 ACRES, MORE OR LESS.

THE BASIS OF BEARING FOR THIS LEGAL DESCRIPTION IS GRID NORTH OF THE BEND-KLAMATH FALLS ZONE OF THE OREGON COORDINATE REFERENCE SYSTEM.

**Exhibit C**  
**PARCEL 1 PLA 10-19**

AN AREA OF LAND IN LOT 2 OF SECTION 28, TOWNSHIP 40 SOUTH, RANGE 9 EAST, OF THE WILLAMETTE MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE 1/4 SECTION CORNER COMMON TO SECTIONS 28 AND 21, THENCE SOUTH 89°52'11" EAST A DISTANCE OF 1307.79 FEET; THENCE SOUTH 00°00'19" WEST A DISTANCE OF 1165.15 FEET; THENCE NORTH 88°47'30" WEST A DISTANCE OF 498.75 FEET; THENCE NORTH 00°08'34" EAST A DISTANCE OF 294.19 FEET; THENCE NORTH 89°49'38" WEST A DISTANCE OF 328.20 FEET; THENCE NORTH 89°38'22" WEST A DISTANCE OF 438.80 FEET; THENCE NORTH 00°08'49" EAST A DISTANCE OF 859.39 FEET TO THE POINT OF BEGINNING, CONTAINING 29.30 ACRES, MORE OR LESS.

THE **BASIS OF BEARING** FOR THIS LEGAL DESCRIPTION IS GRID NORTH OF THE BEND-KLAMATH FALLS ZONE OF THE OREGON COORDINATE REFERENCE SYSTEM.