

2020-015435

Klamath County, Oregon

11/25/2020 11:49:01 AM

Fee: \$92.00

**Recording Requested by and
after recording return to:**

Klamath Housing Authority
1445 Avalon Street
Klamath Falls, OR 97603-4489

TERMINATION OF EASEMENT AGREEMENT

This **TERMINATION OF EASEMENT AGREEMENT** is made and entered into this 24th day of November, 2020, by Klamath Housing Authority, as Owner and Successor Owner to the property described below.

WHEREAS, Klamath Housing Authority, as Grantor, and Applegate Development Corporation, as Grantee, entered into an Easement Agreement dated December 3, 2002, and recorded September 16, 2004, in Volume M04, Page 61932 providing a perpetual non-exclusive easement across the property of Klamath Housing Authority, more particularly described on the attached Exhibit A; and

WHEREAS, Klamath Housing Authority subsequently purchased the property owned by Applegate Development Corporation, which benefitted from the Easement Agreement, and is therefore the Successor Owner to Applegate Development Corporation; and

WHEREAS, paragraph 5 of the Easement Agreement provides for termination of the Easement Agreement upon written agreement by Grantor and Grantee, their heirs, successors and assigns; and

WHEREAS, Klamath Housing Authority, as Grantor and as successor to Grantee, now desires to terminate the Easement Agreement.

NOW, THEREFORE, the parties agree as follows:

1. The undersigned Grantor and successor-in-interest Grantee hereby agree to terminate the Easement Agreement dated December 3, 2002, and recorded September 16, 2004, in Volume M04, Page 61932, with no further rights or obligations to either party related thereto.

[signature page on the following page]

DATED this 24th day of November, 2020.

Klamath Housing Authority
Klamath, Oregon

By:


Diana Otero, Executive Director

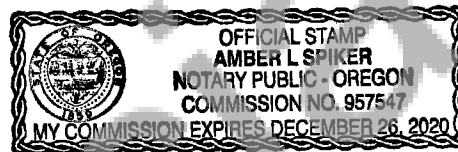
STATE OF OREGON

)

) SS

COUNTY OF KLAMATH

)



I, Amber Spiker, the undersigned, a Notary Public in and for the County and State aforesaid, certify that Diana Otero, personally known to me to be the Executive Director of the Klamath Housing Authority, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed and delivered the said instrument in her capacity as the Executive Director of the Klamath Housing Authority, as her free and voluntary act and deed and as the free and voluntary act and deed of the Klamath Housing Authority, for the uses and purposes therein set forth.

Given under my hand and official seal this 24 day of November, 2020.

Amber L. Spiker
Notary Public

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land, situate in Tract 31, ENTERPRISE TRACTS, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a 1/2 inch rebar marking the Northwest corner of Block 1, SUNNYLAND SUBDIVISION, said point also being on the Easterly right of way line of Avalon Street; thence North 00 degrees 15' 30" West 237.85 feet, along the Easterly right of way line of Avalon Street, to a 1/2 inch rebar; thence South 56 degrees 38' 10" East 99.79 feet to a 1/2 inch rebar; thence South 73 degrees 31' 10" East 47.66 feet to a 1/2 inch rebar; thence North 79 degrees 52' 00" East 108.29 feet to a 1/2 inch rebar; thence North 70 degrees 29' 20" East 50.00 feet to a 1/2 inch rebar; thence South 89 degrees 24' 00" East 54.07 feet to a 1/2 inch rebar; thence South 00 degrees 11' 48" East 183.24 feet to a 1/2 inch rebar; thence South 89 degrees 45' 30" West 20.00 feet to a 1/2 inch rebar; thence South 00 degrees 11' 48" East 20.00 feet to a 1/2 inch rebar on the Northerly boundary of Sunnyland Subdivision; thence South 89 degrees 45' 30" West 316.48 feet, along the Northerly boundary of Sunnyland Subdivision to the place of beginning.

EXHIBIT "A"