

5/19/78

51879

Vol. 79 Page 15478Highway Division
File 49850
M-2298 (2)

ORIGINAL

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That CULBERTSON'S KLAMATH FALLS KOA, a partnership consisting of Walter R. Culbertson, Barbara M. Culbertson, Paul E. Culbertson and Rebecca L. Culbertson, Grantors, do hereby grant to KLAMATH COUNTY, a political subdivision of the State of Oregon, Grantee, a perpetual easement for the construction and maintenance of a retaining wall over, across and upon the following described property, to wit:

A parcel of land lying in the SE $\frac{1}{4}$ of Section 34, Township 38 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Klamath Falls KOA, Inc., recorded in Book M-75, Page 15218 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 35 feet in width, lying on the Northwesterly side of the center line of Shasta Way as said Shasta Way has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 44+15, at which station the Westerly line of said strip of land lies at right angles to said center line, said station being 29.52 feet South and 2879.86 feet East of the Southwest corner of Section 34, Township 38 South, Range 9 East, W.M.; thence South 89° 42' 40" East 835 feet to Engineer's center line Station 52+50.

The parcel of land to which this description applies contains 1370 square feet, more or less.

This instrument does not grant or convey any right or title to the above described land, except for the purpose of constructing and maintaining the retaining wall thereon.

It is understood that nothing herein contained shall be construed to impose any duty, obligation or liability upon Grantee by reason of the construction and maintenance of said retaining wall.

And Grantors do hereby covenant to and with Grantee, its successors and assigns, that they are the owners in fee simple of the said property which is free from all encumbrances and will warrant and defend the easement rights herein granted from all lawful claims whatsoever.

Dated this 23 day of June, 1978.

CULBERTSON'S KLAMATH FALLS KOA, a partnership

By Walter R. Culbertson
Walter R. Culbertson, partner

By Barbara M. Culbertson
Barbara M. Culbertson, partner

By Paul E. Culbertson
Paul E. Culbertson, partner

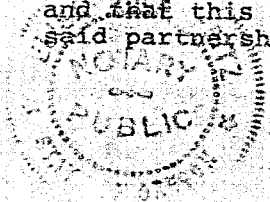
By Rebecca L. Culbertson
Rebecca L. Culbertson, partner

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STATE OF OREGON, County of Klamath

June 6, 1978. Personally appeared Paul E. Culbertson and Rebecca L. Culbertson, husband and wife, who, being sworn, state that they are partners of Culbertson's Klamath Falls KOA, a partnership and that this instrument was voluntarily signed with authority of said partnership. Before me:

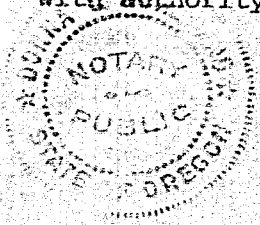


Elisa Dale Fritz
NOTARY PUBLIC FOR OREGON

My Commission Expires: 5-17-81

STATE OF Oregon, County of Klamath

June 23, 1978. Personally appeared Walter R. Culbertson and Barbara L. Culbertson, husband and wife, who, being sworn, state that they are partners of Culbertson's Klamath Falls KOA, a partnership and that this instrument was voluntarily signed with authority of said partnership. Before me:



Donna D. Hildebrand
NOTARY PUBLIC FOR Oregon

My Commission Expires: 10-28-79

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Oregon State Highway Division

this 18th day of July A. D. 1978 at 2:46 clock P.M., and

is recorded in Vol. 1178, of Deeds on Page 15478

W. D. MILNE, County Clerk

Bernice M. Hildebrand

Fee \$6.00