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UTILITY EASEMENT

Vol. 1182 Page 6003

In consideration of the sum of \$1.00 and other valuable consideration, the receipt of which is hereby acknowledged. RONALD D. JOHNSON and TERESA G. JOHNSON, husband and wife, hereinafter referred to as Grantor does hereby convey to KERMIT F. TAYLOR and DIANE G. TAYLOR, husband and wife, hereinafter referred to as Grantee, and to Grantees' heirs successors and assigns, a perpetual non-exclusive easement to use a strip of land fifteen (15) feet in width over and along the easterly boundary of the grantors' property, said easement commencing at a point on Beverly Heights Road and extending in a northerly direction some 170 feet, more or less. The use of grantors' property as aforesaid shall be limited to grantees domestic utility purposes and any use of the said easement strip shall be limited to buried utilities only.

The Grantors' property which is subject to this easement is more fully described as:

Starting at the 1/16 corner in the center of the North-west quarter of Section Thirty-four, Township Thirty-eight South, Range Nine East, W.M. (34-38-9); thence, Westerly North Eighty-nine Degrees Twenty-five Minutes West (N.89°25'W), Five hundred Sixty-one and one tenth feet (561.1), thence, Northerly North No Degrees, Nineteen Minutes West (N. 0°19'W.) Seven Hundred Seventy-Six and Three-tenths feet (776.3); thence, Easterly South Eighty-nine Degrees, Twenty-five Minutes East, (S89°25'E) Five Hundred Sixty-one and One-tenth feet (561.1); thence, Southerly South No Degrees Nineteen Minutes East (S. 0°19'E), Seven Hundred Seventy-six and three-tenths feet (776.3) along the Western property line of Harvey Johnson,

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to the point of beginning. Parcel contains Ten (10) acres, more or less, all in the North-west quarter of the North-west quarter (NW 1/4 - NW 1/4), Section Thirty-four, Township Thirty-eight South, Range Nine East, W.M., and Base (34-38-9).

Said property also is generally referred to as Tax Lot 1200 in the Klamath County Assessor's Records.

The following is a description of the Grantees' property to which this easement is appurtenant:

All the following described real property situate in Klamath County, Oregon:

A parcel of that tract of land recorded in Volume 281, Page 166 of Deed Records of Klamath County, Oregon, described therein as being situated in the NW 1/4 NW 1/4 of Section 34, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon: said parcel being more particularly described as follows:

Beginning at the southeast corner of the aforesaid tract of land which corner is marked with a steel axle representing the southeast corner of the NW 1/4 NW 1/4 of said section 34; thence S. 89°39' W. along the south boundary of said tract of land a distance of 366.84 feet; thence N. 0°19' W. a distance of 160.0 feet to the north boundary of that parcel of land recorded in Volume 335, Page 109, of Deed Records of Klamath County, Oregon: thence N. 2°31' W. 57.10 feet to an iron pipe marking the true point of beginning of this description; thence N. 40°10'30" E., 48.82 feet to an iron pipe; thence N. 52°35'30" E., 45.80 feet to an iron pipe, thence continuing N. 52°35'30" E. a distance of 37.77 feet, more or less, to the south-westerly boundary of that parcel of land recorded in Volume 335, Page 109 of Deed Records aforesaid; thence along said boundary N. 51°49' W. 15.27 feet, more or less, to an iron pipe marking a corner of said parcel of land; thence N. 43°53' E. along aforesaid boundary, a distance of 57.45 feet to an iron pipe marking a corner of that parcel of land recorded in Volume 311,

Page 227, of Deed Records aforesaid; thence following along the boundary of said parcel of land N. 88°49' W., 178.3 feet and S. 0° 41' E. 161.64 feet to an iron pipe; thence N. 68°46'30" E. a distance of 54.35 feet to the true point of beginning, containing 0.39 acres, more or less, and being subject to a 10 foot easement for road purposes along the last course and the first three courses of this description.

SAVING AND EXCEPTING: A tract of land situated in the NW 1/4 NW 1/4 of Section 34, Township 38 South, Range 9 East of the Willamette Meridian, being more particularly described as follows:

Beginning at the Southeast corner of the said NW 1/4 NW 1/4 thence North 00°19' West 20 feet to a point on the Northerly right of way line of the County Road (Beverly Heights Road); thence continuing North 00°19' West 584.5 feet; thence South 43°53' West 347.95 feet to a pipe, being the true point of beginning of this description; thence North 88°49' West 50.00 feet; thence South 01°11' West 42.22 feet; thence South 88°49' East 11.04 feet to a pipe being the most Westerly point of that tract of land described in Deed Volume 208, page 353, shown as Parcel 1, as recorded in the Klamath County Deed Records; thence North 43°55' East 57.45 feet to the true point of beginning.

SUBJECT TO: Easement for road purposes as disclosed by Warranty Deed from Pansy Valoura Johnson to Ronald Dean Johnson and Teresa Gay Johnson, dated April 25, 1972, and recorded April 25, 1972, in Microfilm Deed records M-72 on page 4401, records of Klamath County, Oregon.

The terms of this easement are as follows:

1. 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 strip. Grantee shall pay Grantor for any merchantable timber or other property of Grantor's damaged by Grantee's use of

this easement. Grantee assumes all risk arising out of its use of the easement strip and Grantor shall have no liability to Grantee or others for any condition existing thereon.

2. This easement shall be perpetual; however, in the event that it is not used by Grantee for a period of three years, or if otherwise abandoned by Grantee, the easement shall automatically expire and Grantee shall upon request execute a recordable document evidencing such expiration.

IN WITNESS WHEREOF, the parties have executed this Easement on April 7, 19 82.

Ronald D. Johnson  
RONALD D. JOHNSON

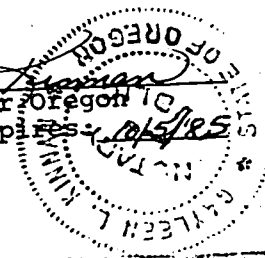
Teresa G. Johnson  
TERESA G. JOHNSON

SUBSCRIBED and SWORN to before me this 7<sup>th</sup> day

of April, 19 82.

*Rec'd Gary Hallenbeck  
225 Main - K. Falls*

Gayle L. Freeman  
Notary Public for Oregon  
My Commission Expires 05/85



STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the

1 day of May A.D., 1982 at 3:07 o'clock P M., and duly recorded in

Vol M 82, of Deeds on page 6003.

Fee \$16.00

EVELYN BIEHN  
COUNTY CLERK

By [Signature] deputy