

18081

MAJOR LAND PARTITION 65-82-1782  
CREATION OF AN EASEMENT

17251

KNOW ALL MEN BY THESE PRESENTS, that KERNS BROS. REAL ESTATE, a partnership, James W. Kerns, President, in consideration of the approval by the Klamath County Planning Department of a Statutory Major Partition of the hereinafter described real property, and in consideration of the benefits accruing to the above named by reason of said approved Major Partition, we the undersigned, do hereby irrevocably create the following ingress and egress easement to be appurtenant to Parcel 2, with the rights and obligations hereinafter contained, to run with the title to said parcel. Said easement being the southwesterly 60 feet of Parcel 1, said Parcel 1 being described as follows:

## PARCEL 1

A tract of land situated in Tract 33A, Enterprise Tracts subdivision, in the NW1/4 of section 3, T39S, R9EWM, Klamath County, Oregon, more particularly described as follows:

Beginning at the cased monument marking the Northwest corner of said section 3; thence S00°00'30"E, along the westerly boundary of said section 3, 826.8 feet, more or less, to its intersection with a line parallel with and 75 feet distant at right angles northeasterly from the centerline of South Sixth Street as the same is now located and constructed; said parallel line being also the northerly right of way line of said street; thence S55°52'30"E, along said parallel line 1741.84 feet to a 5/8-inch iron pin marking the easterly right of way line of Austin Street with the location of said point being in conformance with record of survey No. 939 filed in the office of the Klamath County Surveyor, which contains the original owner's certification of original property corners; thence N34°07'30"E at right angles to said South Sixth Street and along the easterly right of way line of said Austin Street a distance of 250.00 feet to the northwest corner of that tract of land described in D.V. M69, page 10247 as recorded in the Klamath County deed records; thence S55°52'30"E 205.28 feet; thence N34°07'30"E, generally along the southeasterly edge of an existing building and its southwesterly extension, 154.27 feet to the southerly line of the parcel conveyed by D.V. M72, page 6088 as recorded in the Klamath County deed records, said point being the TRUE POINT OF BEGINNING of this description; thence N55°52'30"W, along the said southerly line, 205.28 feet to the southeasterly right of way line of said Austin Street; thence S34°07'30"W, along said right of way line, 154.27 feet to the northwesterly corner of said D.V. M69, page 10247; thence S55°52'30"E 205.28 feet; thence N34°07'30"E 154.27 feet to the TRUE POINT OF BEGINNING, containing 31,669 square feet; TOGETHER WITH a 4-foot roof overhang and sidewalk easement northeasterly of and parallel to the following described line; Beginning at the TRUE POINT OF BEGINNING; thence N55°52'30"W 90.28 feet; and SUBJECT to a 4-foot sidewalk easement southwesterly of, being adjacent with and parallel to the above described easement.

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12.00

The said 60-foot easement shall provide ingress and egress to Parcel 2. Said Parcel 2 being described as follows:

PARCEL 2

A tract of land situated in Tract 33A, Enterprise Tracts subdivision, in the NW1/4 of section 3, T39S, R9EWM, Klamath County, Oregon, more particularly described as follows:

Beginning at the cased monument marking the Northwest corner of said section 3; thence S00°00'30"E, along the westerly boundary of said section 3, 826.8 feet, more or less, to its intersection with a line parallel with and 75 feet distant at right angles northeasterly from the centerline of South Sixth Street as the same is now located and constructed; said parallel line being also the northerly right of way line of said street; thence S55°52'30"E, along said parallel line 1741.84 feet to a 5/8-inch iron pin marking the easterly right of way line of Austin Street with the location of said point being in conformance with record of survey No. 939 filed in the office of the Klamath County Surveyor, which contains the original owner's certification of original property corners; thence N34°07'30"E at right angles to said South Sixth Street and along the easterly right of way line of said Austin Street a distance of 250.00 feet to the northwest corner of that tract of land described in D.V. M69, page 10247 as recorded in the Klamath County deed records; thence S55°52'30"E 205.28 feet; thence N34°07'30"E, generally along the southeasterly edge of an existing building and its southwesterly extension, 154.27 feet to the southerly line of that parcel conveyed by D.V. M72, page 6088 as recorded in the Klamath County deed records, said point being the TRUE POINT OF BEGINNING of this description; thence along the boundaries of said parcel, S55°52'30"E 49.72 feet, N34°07'30"E 94.94 feet (95.05 feet by said M72, page 6088), N00°21'15"E 6.09 feet (6.00 feet by said M72, page 6088); thence S55°52'30"E, along the southeasterly extension of the northerly line of the said D.V. M72, page 6088, 36.09 feet to the easterly line of said Tract 33A; thence S00°21'15"W, along said easterly line, 294.09 feet; thence S34°07'30"W 9.80 feet; thence N55°52'30"W 245.90 feet; thence N34°07'30"E 154.27 feet to the TRUE POINT OF BEGINNING, containing 37,579 square feet; TOGETHER WITH a 4-foot roof overhang and sidewalk easement northeasterly of and parallel to the following described line; Beginning at the TRUE POINT OF BEGINNING, thence S55°52'30"E 49.72 feet; and SUBJECT TO a 4-foot sidewalk easement southwesterly of, being adjacent with and parallel to the above described easement.

17253

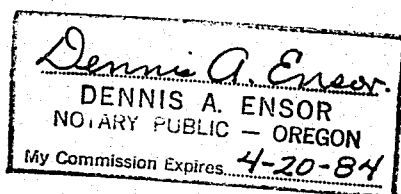
IN WITNESS WHEREOF, the KERNS BROS. REAL ESTATE, James W. Kerns, president, hereunto set his hand this 3 day of December, 1982.

James W. Kerns  
James W. Kerns, President

STATE OF OREGON }  
COUNTY OF KLAMATH } ss:

BE IT REMEMBERED, that on this 3 day of December, 1982 before me personally appeared James W. Kerns, President of KERNS BROS. REAL ESTATE, who acknowledged to me that the foregoing instrument to be their voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Dennis A. Ensor

Notary Public for Oregon

My Commission Expires 4-20-84

Westcoast & Assoc.

2333 Summers Lane

K. 7

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ..  
this 7 day of Dec. A. D. 19 82 at 9:36 o'clock AM., and  
duly recorded in Vol. M82, of Deeds on Page 17251

Fee \$12.00

EVELYN BIEHN, County Clerk  
By Joyce Mc Guire