

46212

MTC 14580
MAJOR LAND PARTITION NO. 19-84

CREATION OF A PRIVATE ROAD

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1985 FEB 22 AM 11 24

KNOW ALL MEN BY THESE PRESENTS, that Rick Werlinger, in consideration of the approval by the Klamath County Planning Commission of a Statutory Major Land 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 described nonexclusive private easement to be appurtenant to the respective partitioned parcels, with the rights and obligations hereinafter contained, to run with the title to said parcels. Said easement being a strip of land 30 feet in width and being 15 feet in width on each side of the following described centerline:

Beginning at the southwest corner of said Lot 46; thence North 88° 43' 29" East 5.00 feet; thence North 0° 51' 31" West 65.00 feet to a 5/8 inch Iron Rod being the True Point of Beginning of the Centerline herein to be described; thence North 88° 43' 29" East 107.34 feet; thence along the arc of a 65 foot radius curve right an arc distance of 51.81 feet (the long chord of which bears South 67° 09' 58" East 50.45 feet) to the West line of said Parcel 2 and there terminating the side lines of said easement being shortened and extended to terminate at the West line of said Lot 46.

The private road easement shall provide vehicular and public utility access to one parcel, that being more particularly described as follows:

A parcel of land lying in Lot 46, Fair Acres Subdivision No. 1 in the SW $\frac{1}{4}$ of Section 35, Township 38 South, Range 9 East of the Willamette Meridian being more particularly described as follows:

Beginning at the Southwest corner of said Lot 46; thence North 88° 43' 29" East, along the South line of Lot 46, 159.00 feet to a 5/8 inch Iron Rod Set at the True Point of Beginning; thence North 0° 51' 31" West 65.00 feet to a 5/8 inch Iron Rod; thence North 88° 43' 29" East 154.00 feet to a 5/8 inch Iron Rod set on the East line of said Lot 46; thence South 0° 51' 31" East 65.00 feet to a found 5/8 inch Iron Rod set at the Southeast corner of Lot 46; thence South 88° 43' 29" East, along the South line of said Lot 46, 154.00 feet to the True Point of Beginning.

IN WITNESS WHEREOF, the party have hereunto set his hands this 6th day of February, 1985.

Rick Werlinger
Rick Werlinger

State of Oregon)

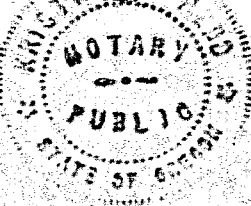
County of Klamath)

ss.

February 6, 1985

Personally appeared the above named RICK WERLINGER and acknowledged the foregoing instrument to be his voluntary act and deed.

BEFORE ME:



Kristi L. Redd
NOTARY PUBLIC FOR OREGON

My Commission Expires: 11/16/87

RETURN: MTC, KRISTI

STATE OF OREGON: COUNTY OF KLAMATH: ss

I hereby certify that the within instrument was received and filed for record on the 22nd day of February A.D., 19 85 at 11:24 o'clock A M, and duly recorded in Vol. M85, of Deeds on page 2734.

Fee: \$ 5.00

EVELYN BIENN, COUNTY CLERK

by: [Signature], Deputy