

ACCESS EASEMENT FOR MAJOR LAND PARTITION #4-MR84  
Klamath Falls, Oregon

KNOW ALL MEN BY THESE PRESENTS. That WELLS FARGO BANK, a National Association, in consideration of the approval by Klamath County of a Statutory Major Partition or the hereinafter described real property, and in consideration of the benefits accruing to this above named by reason of said approved Major Partition, we, the undersigned, do hereby irrevocably create the following described non-exclusive 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 more particularly described as follows:

A parcel of land for roadway purposes located in the SE1/4 SW1/4 of Section 33, T.38S, R.9E, W.M., Klamath County, Oregon; being more particularly described as follows:

Beginning at the intersection of the southerly right-of-way line of South Sixth Street and the westerly right-of-way line of the O.C. & E. Railroad spur, said point being also the northeasterly corner of that parcel of land conveyed at Page 8265 of Volume M68 of Klamath County Deed Records; thence N 58°24'45" W along the southerly right-of-way line of South Sixth Street 60 feet, more or less, to its intersection with the back of a concrete curb on the easterly side of an existing access street known as Stiles Way, said intersection point being the True Point of Beginning for this description; thence following the back of curb line southwesterly around a 54.5 foot radius curve to the left to the point of tangency of said curve; thence S 00°51'30" E along the easterly back of curb line of a 33 foot wide (back of curb to back of curb) street and the back of curb line extended 623 feet, more or less, to the northerly line of that parcel of land designated as Parcel C on Record of Survey No. 1921 as filed in the Klamath County Surveyors Office; thence S 89°15' W along the northerly line of said Parcel C 33.0 feet to a point on the westerly back of curb line of the aforementioned street as extended southerly; thence N 00°51'30" W along said westerly back of curb line 542 feet, more or less, thence following the back of curb line along a 20 foot radius curve to the left to its point of tangency with the southerly back of curb line of a 33 foot wide (back of curb to back of curb) street known as Foster Avenue; thence S 88°54'20" W 183.5 feet, more or less, to its intersection with the westerly boundary of that parcel of land designated as Parcel A on Record of Survey No. 1922 as filed in the Klamath County Surveyors Office; thence N 00°45' W along said westerly boundary 33.0 feet to a point on the northerly back of curb line of said 33 foot wide street; thence along said back of

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curb line N 88°54'20" E 183.4 feet to the beginning of a 20 foot radius curve to the left; thence following the back of curb line along said 20 foot radius curve to the left to its point of tangency with the westerly back of curb line of the 33 foot wide street known as Stiles Way; thence N 00°51'30" W along the back of curb line 60 feet, more or less; thence following the back of curb line around a 99.5 foot radius curve to the left to its intersection with the southerly right-of-way line of South Sixth Street; thence S 58°24'45" E along said southerly right-of-way line to the True Point of Beginning.

The private road easement shall provide vehicular and public utility access to three (3) parcels of land. Those parcels are more particularly described as follows:

PARCEL NO. 1

A piece or parcel of land situated in the SE1/4 SW1/4 of Section 33, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the intersection of the southerly right-of-way line of South Sixth Street and the westerly right-of-way line of the O.C. & E. Railroad spur; said point being also the northeasterly corner of that parcel of land conveyed at page 8265 of Volume M68 of Klamath County Deed Records; thence N 58°24'45" W along the southerly right-of-way line of South Sixth Street 218.95 feet to a point; thence N 55°48'55" W along said right-of-way line 180.4 feet to the most northerly corner of that parcel of land conveyed at page 5330 of Volume M72 of Klamath County Deed Records; thence S 00°45' E 451.4 feet to a point; thence N 88°11'20" E 203.85 feet to a point; thence S 00°51'30" E 57.0 feet to a point; thence N 89°15' E 129.0 feet to a point on the west right-of-way line of the O.C. & E. Railroad spur; thence N 00°45' W along said right-of-way line 284.2 feet to the point of beginning.

PARCEL NO. 2

A piece or parcel of land situated in the SE1/4 SW1/4 of S.33, T.38S, R.9E, of the Willamette Meridian, Klamath County, Oregon being more particularly described as follows:

Beginning at a point on the westerly right-of-way line of the O.C. & E. Railroad spur as the same is presently located and constructed from which the northeasterly corner of that parcel of land conveyed on page 8265 of Volume M68 of Klamath County Deed Records bears N 00°45' W 284.2 feet distance thence South 00°45' East along said railroad right of way line 249.0 feet to a point; thence along a circular curve to the left (having a central angle of 14°25'10" a radius of 429.51 feet and a long chord which bears S 07°57'35" E 107.8 feet) a distance of 108.1 feet to a point; thence S 89°15' W 286.55 feet to a point; thence N 37°52'10" W 284.80 feet to a point; thence N 01°48'40" W 180.0 feet to a point; thence N 88°11'20" E 319.2 feet to a point; thence S 00°51'30" E 57.0 feet to a point; thence N 89°15' E 129.0 feet, more or less, to the point of beginning.

### PARCEL NO. 3

A parcel of land situated in the SW1/4 of S.33, T.38S, R.9E, of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the south line of Section 33, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, from which the South one-quarter corner of said Section 33 bears North 89°26' East 313.83 feet distant; thence North 00°45' West 4.0 feet to an existing iron pin reference monument; thence North 00°45' West 176.00 feet to an existing iron pin; thence North 89°14'40" East 166.00 feet to an existing iron pin; thence North 00°45'30" West 76.50 feet to an E. Railroad Spur as the same is presently located and constructed; thence following said right of way line along a 13.34 degree curve to the right, the long chord of which bears North 21°39'25" West 72.70 feet, a distance of 72.8 feet to an iron pin; thence South 89°15' West 286.55 feet to an iron pin; thence North 37°52'10" West 284.8 feet to an iron pin; thence North 01°48'40" West 180.0 feet to a point; thence North 88°11'20" East 115.35 feet to a point on the South west corner of that parcel designated as Parcel A in recorded survey no. 1922; thence North 00°45' West along the Westerly boundary of said Parcel A, 451.4 feet to a point on the Southerly right of way boundary of South Sixth Street as the same is presently located and constructed; thence North 68°29'25" West along the Southerly right of way line of South Sixth Street, 429.1 feet to a point on the Easterly right of way line of the Southern Pacific Railroad projected Northerly; thence South 00°45' East along said right of way line projected and along said right of way line 1195.1 feet to its intersection with the Northerly right of way line of the O. C. & E. Railroad; thence South 51°58' East along said

11226

Northerly right of way line 241.2 feet to its intersection with the South line of Section 33, Township 38 South, Range 9 East of the Willamette Meridian; thence North 89° 26' East 415.45 feet, more or less, along said Section line to the point of beginning.

IN WITNESS WHEREOF the parties have hereunto set their hands this 26<sup>th</sup> day of June, 1985.

WELLS FARGO BANK N.A.

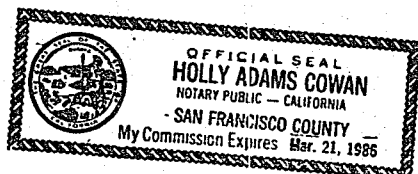
by Curtis Mallgren V.P.

STATE OF CALIFORNIA

County of San Francisco ss.

On this 26<sup>th</sup> day of June, in the year 1985, before me, Holly Adams Cowan, Notary Public in and for the State of California, personally appeared Curtis Mallgren and \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) who executed the within instrument as Vice President or on behalf of Wells Fargo Bank, N.A. and acknowledged to me that said Bank executed same pursuant to its bylaws.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County of San Francisco the day and year in this certificate first above written.



Holly Adams Cowan  
NOTARY PUBLIC  
State of California

My Commission Expires:

March 21, 1986

At: Addkins Consulting Eng.  
1453 Explorade  
KFO

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 16<sup>th</sup> day of July A.D., 19 85 at 2:46 o'clock P M., and duly recorded in Vol. M85 of Deeds on Page 11223.

FEE \$17.00

Evelyn Biehn,  
By \_\_\_\_\_

County Clerk

Pam Smith