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K-37947

MAJOR LAND PARTITION 67-84

CREATION OF AN ACCESS EASEMENT

Vol. 485

Page

18109

KNOW ALL MEN BY THESE PRESENTS, that Avon B. Cummins and Mary Jo Cummins, husband and wife, in fee simple, deed holder, in consideration of the approval by Klamath County 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 described non-exclusive 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 60 feet in width, adjacent to and parallel with the Malin Irrigation District highline ditch, with the easterly line of said easement generally along the following courses:

Beginning at a 5/8-inch rebar with plastic cap, which is located N89°30'16"E 912.72 feet from the center $\frac{1}{4}$ corner of Section 4, T41S, R12EWM, Klamath County, Oregon; thence S21°10'03"E 137.18 feet, S29°49'46"E 193.29 feet, S04°31'59"W 114.20 feet, S03°55'35"W 109.06 feet, S05°20'46"E 105.13 feet and S16°47'56"E 46.34 feet.

The access easement shall provide vehicular and public utility access to the two (2) parcels of land. Those parcels are more particularly described as follows:

PARCEL 1

A parcel of land situated in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, T41S, R12EWM, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the East-West centerline of said Section 4, from which the center $\frac{1}{4}$ corner bears S89°30'16"W 691.52 feet; thence N89°30'16"E 221.20 feet to a 5/8-inch rebar with plastic cap on the approximate westerly line of the Malin Irrigation District highline ditch; thence southerly along the said westerly line generally along the following courses: S21°10'03"E 137.18 feet, S29°49'46"E 193.29 feet, S04°31'59"W 114.20 feet, S03°55'35"W 109.06 feet, S05°20'46"E 105.13 feet and S16°47'56"E 46.34 feet to a 5/8-inch rebar with plastic cap; thence N89°56'19"W 374.29 feet; thence N00°03'41"E 665.00 feet to the point of beginning, containing 5.01 acres, more or less, with bearings based on recorded survey No. 3651 as recorded in the office of the Klamath County Surveyor.

PARCEL 2

A parcel of land situated in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, T41S, R12EWM, Klamath County, Oregon, more particularly described as follows:

Beginning at the C $\frac{1}{4}$ corner of said Section 4; thence N89°30'16"E 691.52 feet; thence S00°03'41"W 665.00 feet to the True Point of Beginning of this description; thence continuing S00°03'41"W 664.26 feet to the south line of the said NW $\frac{1}{4}$ SE $\frac{1}{4}$; thence Easterly along said south line to the northwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 4; thence Southerly to the southwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence Easterly along the south line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to a point on the westerly line of the Malin Irrigation District highline ditch; thence Northwesterly along the westerly line of said ditch to a 5/8-inch rebar with plastic cap from which the True Point of Beginning bears N89°56'19"W 374.29 feet; thence N89°56'19"W 374.29 feet to the True Point of Beginning, with bearings based on recorded survey No. 3651 in the office of the Klamath County Surveyor.

IN WITNESS WHEREOF the undersigned have hereunto set their hand this 4th day of November, 1985.

Avon B. Cummins

Mary Jo Cummins

Major Land Partition
Creation of Access Easement

Sworn to before me on November 4, 1985

Debra J. Jelinek

Notary Public for Oregon

My Commission Expires June 1, 1986

Return to: A.B. Cummins
H.C. 62 Box 66
Malin, Or. 97632

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AND ALL BY THESE PRESENTS, that Avon B. Cummins and Mary
to Cummins, husband and wife, in fee simple, deed holder, in consider-
ation of the approval by Klamath County 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 and
permanently assigned to the above named non-exclusive easement to the
benefit of the above named parties, with the title and official name
of the same, to run with the title to said parcels. Said easement

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ 6th day
of _____ November _____ A.D. 19 85 at 2:34 o'clock P. M., and duly recorded in Vol. M85
of _____ Deeds on Page 18109

FEE \$9.00
By Evelyn Biehn, County Clerk
Am Smith

and access easement shall provide venturing and provide
access to the (2) parcels of land. Those parcels are more par-
ticularly described as follows:
PARCEL 1:
A parcel of land situated in the NW1/4 of Section 4, T41S, R12E, W12E,
Klamath County, Oregon, more particularly described as follows:
Beginning at a point on the East-West centerline of said Section
4, from which the center of corner bears S89°30'16"W 691.52 feet;
thence S21°10'03"E 231.30 feet to a 2 1/8-inch rebar with plastic
cap, the center of which is the intersection of the Main Irrigation District
right-of-way line and the centerline of the said Section 4;
thence S21°10'03"E 137.18 feet;
thence S21°10'03"E 202.22 feet;
thence S21°10'03"E 193.29 feet; S04°31'59"W 114.20 feet; S20°22'32"W
101.36 feet; S89°30'16"E 102.13 feet and S16°47'26"E 46.34 feet
to a 2 1/8-inch rebar with plastic cap; thence N89°56'12"W 374.29
feet; thence N00°03'41"E 665.00 feet to the point of beginning,
containing 2.03 acres, more or less, with bearings based on re-
corded survey No. 3651 as recorded in the office of the Klamath
County Surveyor.

PARCEL 2:
A parcel of land situated in the NW1/4 and the SE1/4 of Section
4, T41S, R12E, W12E, Klamath County, Oregon, more particularly described
as follows:
Beginning at the SE corner of said Section 4; thence N89°30'16"E
691.52 feet; thence S00°03'41"W 665.00 feet to the Point of
Beginning of this description; thence S00°03'41"W
665.00 feet to the south line of the said NW1/4; thence East-
erly along said south line to the northwest corner of the SE1/4;
thence S00°03'41"E 665.00 feet to the southwest corner of
said SE1/4; thence Easterly along the south line of said SE1/4
to a point on the western line of the Main Irrigation District
right-of-way line; thence Northwesterly along the western line of
said right-of-way line to a 2 1/8-inch rebar with plastic cap from which the
center of corner bears N89°56'12"W 374.29 feet; thence
N00°03'41"E 665.00 feet to the point of beginning, with bearings
based on recorded survey No. 3651 in the office of the Klamath
County Surveyor.

IN WITNESS WHEREOF the undersigned have hereunto set their hand
this _____ day of _____ 1985.
Avon B. Cummins
Mary Cummins

Notary Public for Oregon
My Commission Expires June 1, 1986