

CREATION OF AN EASEMENT FOR ROAD & UTILITIES

KNOWN ALL MEN BY THESE PRESENTS, Joseph F. O'Brien and Janice A. O'Brien, the undersigned, do hereby irrevocably create the following described non-exclusive private easement to be appurtenant to the hereinafter described real property and to the respective partitioned parcels of approved Major Partition No. 29-88, with the rights and obligations hereinafter contained to run with the title to said parcels.

The Parcel partitioned is described as follows:

Beginning at a point in the South line of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, 665.5 feet West of the quarter corner between Sections 2 and 11, Township and Range aforesaid, and running thence North $0^{\circ} 13'$ East 447 feet more or less to the Southerly right of way line of the Oregon California and Eastern Railway Company; thence North $66^{\circ} 51'$ West along said Southerly right of way line, 1350 feet more or less to an intersection with the Easterly right of way line of the U.S.R.S. main canal; thence South-easterly along the Easterly right of way line of said canal, to the South line of said Section 2; thence East 500.75 feet more or less to the place of beginning, lying and being in the Southwest quarter ($SW\frac{1}{4}$) of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

EXCEPTING THEREFROM that portion conveyed to Wilfred Noble and Edith M. Noble, husband and wife by Warrenty Deed recorded in Book 193 at page 49.

The Easement hereby created shall provide vehicular and public utility access over and across the following;

A non-exclusive 60 foot easement situated in the $SE\frac{1}{4}SW\frac{1}{4}$ of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon. The Southerly line of said easement being more particularly described as follows;

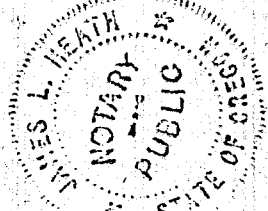
Beginning at a point on the Westerly right of way line of Hope Street, from which the South quarter corner of said Section 2 bears South $00^{\circ} 13'$ West 237.50 feet and North $89^{\circ} 36' 38''$ East 695.17 feet; thence North $66^{\circ} 51'$ West 700 feet, to the end of the easement with bearings based on the recorded survey of said Major Land Partition No.29-88;

Dated: November 6, 1989

Joseph F. O'Brien
Joseph F. O'Brien
Janice A. O'Brien
Janice A. O'Brien

STATE OF OREGON)
) ss.
COUNTY OF KLAMATH)

Personally appeared the above-named Joseph F. O'Brien and Janice A. O'Brien and acknowledged the foregoing instrument to be their voluntary act.



Before me: James L. Heath
Notary Public for Oregon

My Commission expires Sept 15, 1991

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Joseph F. O'Brien the 6th day of Nov. A.D., 19 89 at 3:20 o'clock PM., and duly recorded in Vol. m89, of Deeds on Page 21442.

FEE \$8.00
Return: Joseph O'Brien
2940 Hope, Klamth Falls, Or. 97603

Evelyn Biehn . County Clerk
By Dorene Mullendore

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