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Anderson Engineering & Surveying  
P.O. Box 28  
Lakeview, OR 97630

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58615

RELOCATION OF A PORTION OF INGRESS/EGRESS EASEMENT  
MINOR LAND PARTITION 33-92  
KLAMATH COUNTY, OREGON  
*MT 1396-6219*

WHEREAS, Warburton & Buttner Company, LP, a California limited partnership, (John T. Warburton, partner), a partnership duly organized and existing under and by virtue of the law of the State of California, is the owner of "Parcel No. 2, Minor Land Partition 33-92", and Payless ShoeSource, Inc. is the owner of "Parcel No. 1, Minor Land Partition 33-92", more particularly described and shown on that certain Map filed for record the 31st day of August, 1992, in Klamath County, Oregon; and

WHEREAS, said Warburton & Buttner Company, LP, did by said Map recorded the 31st day of August, 1992, create a certain non-exclusive, private easement to be appurtenant to the respective partitioned parcels, said easement being in parcel 1 and 2 as shown on said Map; and

WHEREAS, said Warburton & Buttner Company, LP, did relocate said private easement by that certain "Relocation of Ingress/Egress Easement Mino Land Partition 33-92, Klamath County, Oregon" document dated September 28, 1992, recorded September 29, 1992, in Volume M92 of Deeds on Page 22650.

NOW THEREFORE, for the purpose of vacating and correcting a portion of said easement and for replacing it with a new and corrected easement, said Warburton and Buttner Company, LP, and Payless ShoeSource, Inc., jointly:

1. Hereby vacate, release and relinquish the following part of the non-exclusive, private, ingress and egress easement described as follows:

Beginning at the Northwest corner of Parcel 1 as defined by Minor Land Partition 33-92; thence N 89-58-58 E 53.00 feet to true Point of Beginning; thence N 89-58-58 E 85.00 feet: thence S 00-00-13 W 97.00 feet; thence S 89-58-58 W 24.00 feet; thence N 00-00-13 W 73.00 feet thence S 89-58-58 W 61.00 feet; thence N 00-00-13 W 24.00 feet to the true Point of Beginning.

2. For themselves, their heirs, and assigns, do hereby irrevocably create the following described non-exclusive, private, ingress and egress easement to be appurtenant to the respective partitioned parcels, with the rights and obligations hereinafter contained to run with title to said parcels, said easement being in parcel 1 as shown on said Map, to provide vehicular (and public utility) access to parcels 1 and 2 as shown on said Map.

Beginning at the Northwest corner of Parcel 1 as defined by Minor Land Partition 33-92; thence N 89-58-58 E 53.00 feet to true Point of Beginning; thence N 89-58-58 E 88.00 feet; thence S 00-00-13 W 97.00 feet; thence S 89-58-58 W 24.00 feet; thence N 00-00-13 W 73.00 feet thence S 89-58-58 W 64.00 feet; thence N 00-00-13 W 24.00 feet to the true Point of Beginning.

Dated this 22<sup>ND</sup> day of February, 1993.

Warburton & Buttner Development  
Company, LP., a California  
Limited Partnership

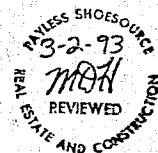
John T. Warburton  
By: John T. Warburton, Partner

Payless ShoeSource, Inc.

By: James J. Romanek, Vice President

ATTEST:

LutAnn C. Dixon  
LutAnn C. Dixon, Assistant Secretary



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5193

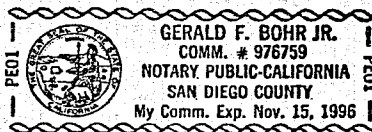
State of CALIFORNIA

County of SAN DIEGO

On 2/22/93 before me, GERALD F. BOHR JR. NOTARY PUBLIC  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared JOHN T. WARBURTON  
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Gerald F. Bohr Jr.  
SIGNATURE OF NOTARY

## OPTIONAL SECTION

### CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☐ INDIVIDUAL  
☐ CORPORATE OFFICER(S)

TITLE(S)  
☒ PARTNER(S) ☐ LIMITED  
☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER: \_\_\_\_\_

### SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

WARBURTON & BUTTNER

DEVELOPMENT COMPANY

THIS CERTIFICATE MUST BE ATTACHED TO  
THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law,  
it could prevent fraudulent reattachment of this form.

## OPTIONAL SECTION

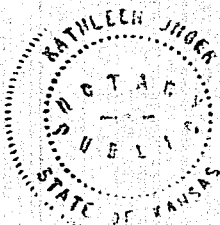
TITLE OR TYPE OF DOCUMENT \_\_\_\_\_

NUMBER OF PAGES \_\_\_\_\_ DATE OF DOCUMENT \_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_

STATE OF KANSAS )  
 ) SS.  
 COUNTY OF SHAWNEE )

On this 2nd day of March, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared James J. Romanek known to me to be the Vice President, and LuAnn C. Dixon known to me to be the Assistant Secretary of the Corporation that executed the within Instrument, known to me to be the persons who executed the within Instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within Instrument pursuant to its by-laws or a resolution of its board of directors.



Kathleen J. Anderson  
 Notary Public for Kansas  
 My Commission Expires: 4-30-95

I hereby certify the above easement descriptions and the relationships thereof to said "Minor Land Partition 33-92", as surveyed, partitioned and plotted on said Map.

Darryl J. Anderson  
 Darryl J. Anderson, PLS 2034

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Company the 15th day of March A.D. 19 93 at 11:37 o'clock A.M., and duly recorded in Vol. M93 of Deeds on Page 5244

FEE \$40.00

Evelyn Biehn, County Clerk

By Darlene Millender