

96260

Vol. 195 Page 5939

CREATION OF ROAD EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that William R. Gardner and Engeline M. Gardner, First Parties, Wilmer E. Hammerich, Jr. and Kimberly D. Hammerich, Second Parties, and Richard A. Smith and Geneva A. Smith, husband and wife, Third Parties, in consideration of mutual benefits accruing to the above named, do hereby irrevocably create the following described non-exclusive easement to be appurtenant to their respective parcels with rights and obligations hereinafter contained to run with the title to said parcels.

Parcel vested in First Parties:

S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ of Section 7, Township 40 South, Range 14, East of the Willamette Meridian.

Parcel vested in Second Parties:

NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 40 South, Range 14 East of the Willamette Meridian

Parcel vested in Third Parties:

All that portion of the NW $\frac{1}{4}$ SE $\frac{1}{2}$ and NE $\frac{1}{4}$ SW $\frac{1}{2}$ in Section 8, Township 40 S. R. 14 E.W.M. lying South of the boundary line more particularly described as follows:
Beginning at a 5/8" iron pin with a Tru-Line Surveying plastic cap, in an existing fence line, from which the South 1/4 corner of said Section 8 bears S. 36°01'05" W. 1613.43 feet; thence N. 49°53'34" W. 1149.62 feet to a 5/8" iron pin with a Tru-Line Surveying plastic cap; thence along a line which is 20 feet southerly of the center line of an existing road, the following courses and distances, S. 69°27'36" W. 503.72 feet, along the arc of a curve to the left (radius equals 1480.00 feet, central angle equals 14°13'55" and the tangent equals 184.76 feet) 367.62 feet, S. 55°13'41" W. 168.98 feet, along the arc of a curve to the right (radius equals 420 feet, central angle equals 28°27'30" and the tangent equals 106.50 feet) 208.61 feet, S. 83°41'11" W. 102.11 feet, along the arc of a curve to the left (radius equals 130.00 feet, central angle equals 39°33'51" and the tangent equals 64.74 feet) 124.29 feet and S. 44°07'20" W. 70 feet more or less to a point on the West line of said NE $\frac{1}{4}$ SW $\frac{1}{2}$, with bearings based on a time method solar observation.

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

A thirty foot easement as it now exists lying approximately adjacent to and 30 feet northerly of the South line of the NE $\frac{1}{4}$ SE $\frac{1}{2}$ of Section 7, and the NE $\frac{1}{4}$ SW $\frac{1}{2}$ of Section 8, and across the NE $\frac{1}{4}$ SW $\frac{1}{2}$ of Section 8, to its intersection with that easement recorded in M-88 on page 3253, records of Klamath County, Oregon,

In Witness Whereof, the parties named have hereunto set their hands on this 15th day of March, 1995

William R. Gardner
William R. Gardner

Engeline M. Gardner
Engeline M. Gardner

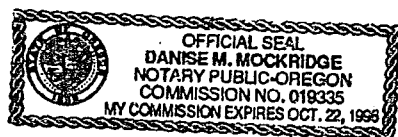
Wilmer E. Hammerich, Jr.
 Wilmer E. Hammerich, Jr.
Richard A. Smith
 Richard A. Smith

Kimberly D. Hammerich
 Kimberly D. Hammerich
Geneva A. Smith
 Geneva A. Smith

STATE OF OREGON)
) ss.
 County of Klamath)

March 15, 1995

Personally appeared William R. Gardner and Engeline M. Gardner, and acknowledged the foregoing instrument to be their voluntary act and deed.



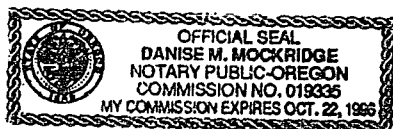
Before me:

Danise M. Mockridge
 Notary Public for Oregon

STATE OF OREGON)
) ss.
 County of Klamath)

March 11, 1995

Personally appeared Wilmer E. Hammerich, Jr. and Kimberly D. Hammerich and acknowledged the foregoing instrument to be their voluntary act and deed.



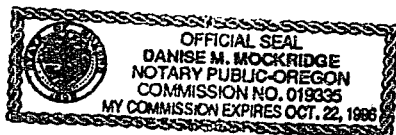
Before me:

Danise M. Mockridge
 Notary Public for Oregon

STATE OF OREGON)
) ss.
 County of Klamath)

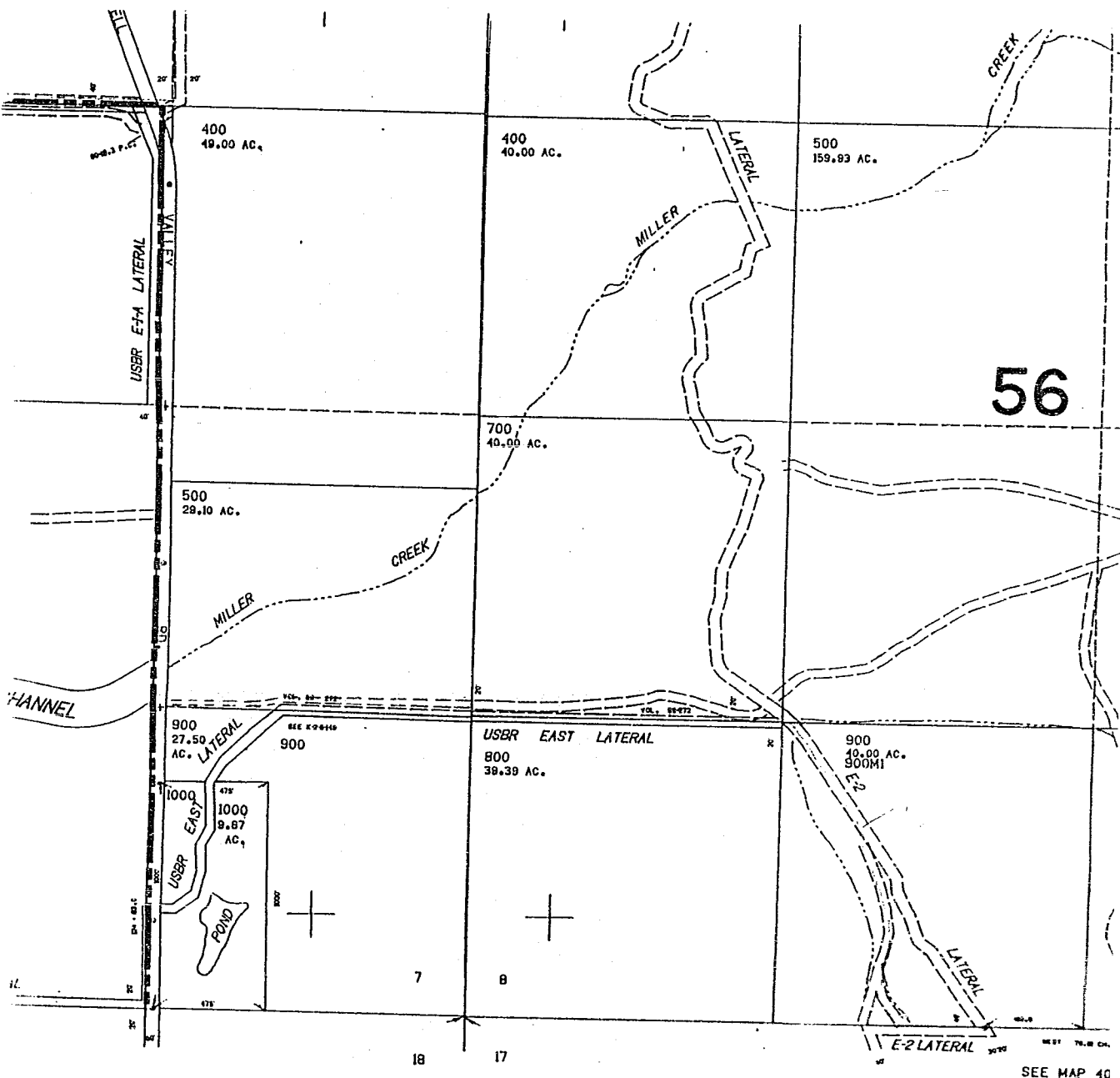
March 15, 1995

Personally appeared Richard A. Smith and Geneva A. Smith, and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me:

Danise M. Mockridge
 Notary Public for Oregon



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title
of March A.D., 19 95 at 3:19 o'clock P M., and duly recorded in Vol. 195
of Deeds on Page 5939

FEE \$40.00

RETURN TO: KCT

By Bernetha G. Lersch, County Clerk
Synette H. Lersch