

22599

K-49645

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EXTINGUISHMENT OF EASEMENTS AND

CREATION OF EASEMENT

THIS AGREEMENT, dated this 18 of July, 1996, between Gary D. Crouch and Janis E. Crouch, Christopher J. Miller and Jennifer B. Miller, hereinafter referred to as parties of the first part and Cascade Automotive, Inc. hereinafter referred to as party of the second part. For the purposes of extinguishment of easements and creation of an easement, the parties hereby recite as follow:

Whereas, a nonexclusive easement was created over property owned by party of the first part and more particularly described as Parcel A, specifically by Easement dated April 15, 1986 and recorded May 2, 1986 in M-86 on page 7602, records of Klamath County, Oregon, and

Whereas, a nonexclusive easement was created over property owned by party of the second part and more particularly described as Parcel B, specifically by Easement dated April 17, 1996 and recorded May 2, 1986 in M-86 on page 7604, records of Klamath County, Oregon.

Whereas, it is the intention of the parties to extinguish said easements and it is agreed between the parties hereto that a new easement shall be created and run with the property of the party of the second part for the benefit of the property of the party of the first part.

NOW THEREFORE, Cascade Automotive, Inc. does hereby grant and convey to said Gary D. Crouch and Janis E. Crouch, Christopher J. Miller and Jennifer B. Miller, a perpetual non-exclusive right and easement for installation and maintenance of underground utilities upon and across the following described real property, to-wit:

The Southerly 10 feet of Parcel 2 of Partition #68-92, located in Lots 1 and 2, Block 2, Tract 1080 - Washburn Park, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon, filed June 23, 1993.

AND, the existing easements including the terms and provisions thereof, as described in M-86 on page 7602 and in M-86 on page 7604, records of Klamath County, Oregon, are hereby extinguished.

Gary D. Crouch
Gary D. Crouch

Cascade Automotive, Inc.

By: Secretary

Janis E. Crouch
Janis E. Crouch

Christopher J. Miller
Christopher J. Miller

Jennifer B. Miller
Jennifer B. Miller

23714Parcel A

Parcel 1 of Partition No. 68-92 filed June 23, 1993, in the office of the County Clerk of Klamath County, Oregon, being situate in Lots 1 and 2, Block 2, Tract 1080, Washburn Park, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

Parcel B

Parcel 2 of Partition #68-92 filed June 23, 1993 in the office of the County Clerk of Klamath County, Oregon, being situate in Lots 1 and 2, Block 2, Tract 1080, Washburn Park, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

23715

STATE OF OREGON)
County of Marion) ss.

This instrument was acknowledged before me on JULY 18, 1996,
by Gary D. Crouch and Janis E. Crouch.

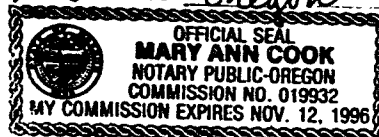
Deborah Van Hook
Notary Public for Oregon



STATE OF Oregon)
County of Deschutes) ss.

This instrument was acknowledged before me on 7/30, 1996,
by Christopher J. Miller and Jennifer B. Miller.

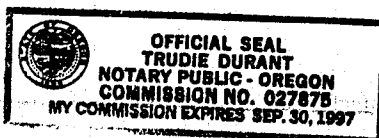
Mary Ann Cook
Notary Public for Oregon



STATE OF OREGON)
County of Klamath) ss.

This instrument was acknowledged before me on Aug. 21st, 1996,
by Randall Nunes as Secretary of Cascade Automotive, Inc.

Trudie Durant
Notary Public for Oregon



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title the 5th day
of August A.D., 19 96 at 10:59 o'clock AM., and duly recorded in Vol. M96,
of Deeds on Page 23713.

FEE \$40.00
20.00/Non Standard

Bernetha G Letsch, County Clerk

By [Signature]