

mte 35178

CREATION OF A PRIVATE ROAD
AND UTILITY EASEMENT
TRACT 1265-DEVONRIDGE

KNOW ALL MEN by these presents that RODNEY E. PFEIFFER, BARBARA J. PFEIFFER AND R. DANE PFEIFFER do hereby irrevocably create the following described non-exclusive private easement for roadway and utility purposes to be appurtenant to Lots 4, 5 and 6 of TRACT 1265- DEVONRIDGE, to wit:

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF

The original easement created on the plat of TRACT 1265- DEVONRIDGE for access to Lot 5 was extinguished by instrument recorded in Volume M96 at Page

Microfilm Records of Klamath County, Oregon.

This creation of a private roadway and utility easement is being filed consecutively with Property Line Adjustment No. 36-96 as filed in the Klamath County Surveyors Office but is separate and distinct from the property line adjustment.

Maintenance of easement and costs of repair of the easement damaged by natural disasters or other events for which all holders of an interest in the easement are blameless shall be the responsibility of the parties, share and share alike. The holders that are responsible for damage to the easement because of abnormal use or negligence shall repair the damage at their sole expense.

This creation of private roadway and utility easement shall bind and inure to the benefit of the immediate parties and to their heirs, successors and assigns in interest.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the 21 of November, 1996.

Rodney E. Pfeiffer
Rodney E. Pfeiffer

R. Dane Pfeiffer
R. Dane Pfeiffer

Barbara J. Pfeiffer
Barbara J. Pfeiffer

State of Oregon
County of Klamath

This instrument was acknowledged before me on November 21, 1996 by Rodney E. Pfeiffer, Barbara J. Pfeiffer and R. Dane Pfeiffer to be their voluntary act and deed.

B. Jean Phillips
Notary Public for Oregon

My Commission Expires 3-2-2000

After Recording return to:

The Pfeiffers
1403 Devonridge Dr.
Klamath Falls, Oregon



37267

EXHIBIT "A"

DESCRIPTION FOR NEW ACCESS EASEMENT
FOR ROD PFEIFFER

and utility
A 20.00 foot wide access/easement across a portion of Lot 4, Tract 1265, Devonridge in the SE1/4 of Section 5, T.39S., R.9E., W.M., Klamath County, Oregon, being more particularly described as follows:

and utility
Beginning at the northeasterly corner of Lot 4, Tract 1265, Devonridge; thence N76°32'59"W 120.09 feet; thence S00°23'17"W 20.53 feet; thence S76°32'59"E 119.44 feet to a point on the right-of-way line of the Devonridge Drive Cul-de-sac; thence following said right-of-way line 20.54 feet along the arc of a 50.00 foot radius curve to the right, the long chord of which bears N2°10'31"E 20.39 feet, to the point of beginning.

#1373-02
11/11/96

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 27th day
of November A.D., 19 96 at 11:50 o'clock A.M., and duly recorded in Vol. M96
of Deeds on Page 37265.

FEE \$35.00

Bernatha G. Letsch County Clerk
By Heather Ross