

MTC 40028

**CREATION OF A PRIVATE ROAD
AND UTILITY EASEMENT
Land Partition 66-95**

KNOW ALL MEN by these presents that STEPHEN KING, CATHY KING, GLEN G. JUSTUS, JOANNA L. JUSTUS AND MICHELLE R. LANGMACHER, do hereby irrevocably create the following described non-exclusive private easement for roadway and utility purposes to be appurtenant to Parcels 1, 2 and 3 of Land Partition 66-95, situated in the S1/2 NW1/4 SE1/4 of Section 11, Township 39 South, Range 9, East of the Willamette Meridian, Klamath County, Oregon.

The original easement created on the Land Partition 66-95 created a 30 foot wide non-exclusive private easement as shown on the Land Partition to provide access to Parcels 1, 2, and 3 and neglected to state the easement was to be used also for utility purposes. The parties now desire to correct the easement to be for access and utility purposes

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 27th of November, 1996.

Stephen King
Stephen King

Cathy King
Cathy King

Glen G. Justus
Glen G. Justus

AND GLEN G. JUSTUS

Joanna L. Justus
Joanna L. Justus

Michelle R. Langmacher
Michelle R. Langmacher

State of Oregon

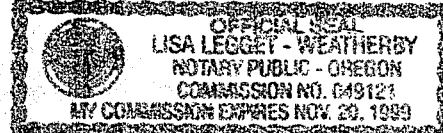
County of Klamath

This instrument was acknowledged before me on November 27, 1996 by Stephen King, Cathy King and Glen G. Justus and Joanna L. Justus to be their voluntary act and deed.

Lisa Legget Weatherby
Notary Public for Oregon

My Commission Expires 11/20/99

After Recording return to:



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 27th day of November A.D., 19 96 at 3:54 o'clock P. M., and duly recorded in Vol. 1796 of Deeds on Page 37442

FEE \$30.00

Bernetha G. Letsch, County Clerk

By Kathleen Ross