

**CREATION OF A PRIVATE ROAD,
SEPTIC AND UTILITY EASEMENT**

KNOW ALL MEN by these presents that DENNIS A. ENSOR AND SANDRA L. ENSOR, AND JAMES M. BARNES TRUSTEE OF THE BARNES LOVING TRUST,, do hereby irrevocably create the following described non-exclusive private easement for roadway, septic and utility purposes to be appurtenant to real property described as EXHIBIT "A" made a part hereof, over and across real property described in EXHIBITS "B" and "C" made a part hereof.

97 APR 22 AM 11:11

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, septic 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 of April 21, 1997.

Dennis A. Ensor
Dennis A. Ensor

Sandra L. Ensor
Sandra L. Ensor

James M. Barnes
James M. Barnes, Trustee

State of Oregon
County of Klamath

APRIL 21, 1997

This instrument was acknowledged before me on ~~November 7, 1996~~
by
voluntary act and deed.

to be their

Scott Covey Claus Notary Public for Oregon

My Commission Expires 1/5/01

After Recording return to:

Dennis Ensor
2333 Summers Lane
Klamath Falls, Oregon 97603



cc
250
60
45

Ensor, L.S. W.R.E.

EXHIBIT "A"

12077

TRU SURVEYING, INC. LINE
TELEPHONE (541) 854-3531
2333 SUMMERS LANE • KLAMATH FALLS, OREGON 97603

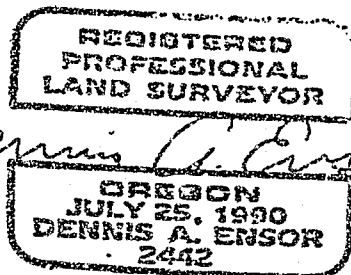
APRIL 2, 1997

LEGAL DESCRIPTION
BARNES LOVING TRUST TO DENNIS AND SANDRA ENSOR
RELEASE OF 1 ACRE OF PROPERTY FOR CLEAR TITLE

A 1 ACRE TRACT OF LAND SITUATED IN THE SE 1/4 OF SECTION 4,
T41S, R10EWM, KLAMATH COUNTY, OREGON BEING A PORTION OF LAND
PARTITION 56-94, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT FROM WHICH THE SE 1/16 CORNER OF SAID
SECTION 4 BEARS S26°19'32"W 355.16 FEET; THENCE NORTH 208.71
FEET; THENCE EAST 208.71 FEET; THENCE SOUTH 208.71 FEET; THENCE
WEST 208.71 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES
AND WITH BEARINGS BASED ON THE SURVEY OF SAID LAND PARTITION 56-
94.

Dennis A. Ensor
DENNIS A. ENSOR O.L.S. 2442



EXPIRES 12-31-97

Owner
Dennis A. Ensor, L.S. W.R.E.

EXHIBIT "B"

12078

TRU SURVEYING, INC. LINE

TELEPHONE (541) 884-3691
2333 SUMMERS LANE • KLAMATH FALLS, OREGON 97603

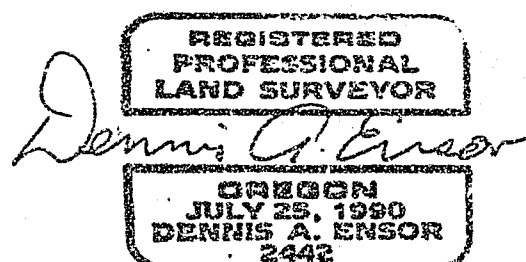
APRIL 21, 1997

LEGAL DESCRIPTION FOR A 30 FOOT WIDE ACCESS EASEMENT

A 30 FOOT WIDE STRIP OF LAND SITUATED IN THE ADJUSTED PARCEL OF "PROPERTY LINE ADJUSTMENT 27-96", PARCEL 2 OF "LAND PARTITION 56-94", AND THAT TRACT OF LAND DESCRIBED IN DEED VOLUME M97 PAGE 10,085, SITUATED IN THE SE1/4 OF SECTION 4, T41S, R10EWM, KLAMATH COUNTY, OREGON, THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWEST LINE OF THE ADJUSTED PARCEL OF SAID "PROPERTY LINE ADJUSTMENT 27-96", FROM WHICH THE SE1/16 CORNER OF SAID SECTION 4 BEARS S49°52'22"E 28.98 FEET; THENCE N27°28'07"E 202.20 FEET; THENCE N43°43'07"E 121.81 FEET; THENCE N66°33'39"E 248.35 FEET. BEARINGS ARE BASED ON RECORD OF SURVEY 5673 ON FILE AT THE OFFICE OF THE KLAMATH COUNTY SURVEYOR.

Dennis A. Ensor
DENNIS A. ENSOR OLS 2442



EXPIRES 12/31/97

Owner
Dennis A. Ensor, L.S. W.R.E.

EXHIBIT "C"

12079

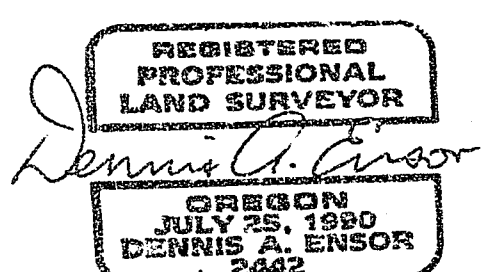
TRU SURVEYING, INC. LINE
TELEPHONE (541) 884-3891
2333 SUMMERS LANE • KLAMATH FALLS, OREGON 97603

APRIL 21, 1997

LEGAL DESCRIPTION OF SEPTIC EASEMENT

A TRACT OF LAND SITUATED IN PARCEL 2 OF "LAND PARTITION 56-94", SITUATED IN THE NE1/4 SE1/4 OF SECTION 4, T41S, R10EW, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THAT TRACT OF LAND DESCRIBED IN DEED VOLUME M97 PAGE 10,085, FROM WHICH THE SE1/16 CORNER OF SAID SECTION 4 BEARS EAST 14.08 FEET AND S34°47'37"W 641.78 FEET; THENCE N38°49'34"E 43.64 FEET; THENCE S51°10'26"E 96.51 FEET; THENCE N38°49'34"E 35.72 FEET; THENCE N51°10'26"W 113.54 FEET; THENCE S38°49'34"W 93.06 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT OF LAND DESCRIBED IN DEED VOLUME M97 PAGE 10,085; THENCE EAST 21.87 FEET TO THE POINT OF BEGINNING, CONTAINING 4,915 SQUARE FEET. BEARINGS ARE BASED ON RECORD OF SURVEY NUMBER 5673 ON FILE AT THE KLAMATH COUNTY SURVEYOR'S OFFICE.



Dennis A. Ensor
DENNIS A. ENSOR O.L.S. 2442

EXPIRES 12-31-97

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Dennis Ensor the 22nd day
of April A.D. 19 97 at 11:11 o'clock A.M. and duly recorded in Vol. M97
of Deeds on Page 12076

FEE \$45.00
2.50 c.c.

Bernetha G. Letsch, County Clerk
by *Kathleen Rossi*