58019

'98 HAY 12 ATT 52

Vol. <u>M98</u> Page 16106

CREATION OF UTILITY EASEMENT PARCELS 1 AND 2 OF LAND PARTITION 61-97,

KNOW ALL MEN by these presents that JENSEN HOM, LLC, hereby irrevocably create the following described non-exclusive utility easement over and across a portion of Parcel 2 of Land Fartition 61-97 being a portion of Lot 17 of PIEDMONT HEIGHTS, lying Southerly of the Northerly line of the Enterprise Irrigation Canal, and also a portion of vacated Jones Street, more particularily described as follows:

> Beginning at a point on the North Line of an existing road (hammerhead turnaround) and utility easement situate North 30 feet from the Southwest corner of Parcel 2 of Land Partition 61-97, thence continuing North along the West line of said Parcel 2 a distance of 10 feet; thence East 30 feet, thence South 10 feet to the North line of said roadway and utility easement, thence West 30 feet more or less to the point of beginning.

See attached Exhibit "A" made a part hereof.

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 casement because of abnormal use or negligence shall repair the damage at their sole expense.

Said casement is for the benefit of Parcels 1 and 2 of said Land Partition. This creation of this 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 12th of May 1998.

JENSEMHOM LLC PHILIP L. JENSE Mananging Partner

State of Oregon County of Klamath

This instrument was acknowledged before me on 12th of May , 1998 by Philip L. Jensen and Managing Partner of Jensen Hom, LLC as their

voluntary act and deed.

iblic for Oregon My Commission Expires



After Recording return to: Jensen Hom LLC 7845 Donegal Klamath Falls, Oregon 97603

EXHIBIT "A" EXACT COPY OF THE ORIGINAL 1º I. PIPS 8 REC 16 83' T.S. NOTE 2 FROF 1 (EAST 156.25')¹ AND (141.0')² (N0'27'W, 15.00')² N0'03'40'W, 14.85' T.S. 491.42 Davi / N18:20'40"#.1 (1118711".1. DAVIC v, ENTRATIONSE REPORTSALIEST N0'26'40'W, 170.73 172.1 C6-61 146.8') 1136 EXP. I. N0'26'40"W, {N0'27'W, WN75'56'10"W, 108.17' 1.5 (N77'19'W, 109.0') 2 1.5 84.01 CANAL 14:15 .0. Y 7 PARCEL 1 223.20¹ 222.31[°] 1.S. PARCEL 2 168.0') 168.11' T.S. 22,255 S.F. -LOT 16 HACUS OF THE ARINGS 19,965 S.F. 240 (NO'27'W, 1.0'27'W, - 5% (N0'27'W, N0'34'40''W, W0727W IFF DATION CASEMENT, MG PIETES NITIAL FOINT -- 10' MDE ELECTRICAL DISTRIBUTION 0'27'W. 19.39 337)1.3 ''' 30 ž 1.1.2 \$89'57'10" N. 175.74' N89"25'30"W, 52.51" (\$39'44'24" N, 176.07')4 NOTE 1 JO'X90' ROADWAY & PUBLIC UTILITY EASEMENT HAMMERHEAD TURNAROUND . DO NO 20' ROADWAY AND PUBLIC UTUTY EASEMENT PER M96 PAGE 25261 AND M96 PAGE 15123 AND M96 PAGE 25265, AND M95 PAGE 25269, AND M97 PAGE 17804 (629.76') JENSEN LANE -EXISTING HYDRANT > EXACT COPY OF THE URVEYED, PARTITIONED 1:St STATE OF OREGON: COUNTY OF KLAMATH : ss. Filed for record at request of . Amerititle the_ 12th of ___ May A.D., 19 98 day 11:52 ___at ____ o'clock A. M., and duly recorded in Vol. M98 of_ Deeds on Page 16106 Bernetha,G. Letsch, County Clerk FEE \$15.00 By Kettelin Koss

16167