

**CREATION OF LANDSCAPE EASEMENT  
TRACT 1344- SEVENTH ADDITION TO NORTH HILLS**

KNOW ALL MEN by these presents that FOOTHILLS PINNACLE, LLC., an Oregon Limited Liability Company, does hereby irrevocably create the following described non-exclusive landscape easement over Lots 37 and 38 of TRACT 1344, Seventh Addition to North Hills, (a proposed subdivision soon to be filed by Tru Line Surveying), situated in the SW1/4 NW1/4 of Section 36, Township 38 South, Range 9 E.W.M, Klamath County, Oregon, more particularly described as follows:

**SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

Maintenance of easement and costs of repair of the easement shall be the responsibility of the real property owner.

Said easement is for the benefit of Tract 1344 - SEVENTH ADDITION TO NORTH HILLS. This creation of landscape 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 DECEMBER // , 1998.

Foothills Pinnacle LLC  
By- Melvin L. Stewart  
Melvin L. Stewart, Managing Member

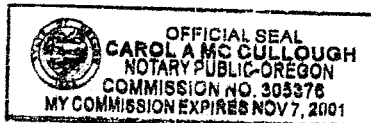
State of Oregon  
County of Klamath

This instrument was acknowledged before me on 11th of DECEMBER, 1998 by FOOTHILLS PINNACLE, LLC., Melvin L. Stewart, Managing Member as THEIR voluntary act and deed.

Carol A. McCullough Notary Public for Oregon

My Commission Expires 11/7/2001

State of Oregon  
County of \_\_\_\_\_



This instrument was acknowledged before me on \_\_\_\_\_ of December, 1998 by \_\_\_\_\_ as their voluntary act and deed.

\_\_\_\_\_  
Notary Public for Oregon

My Commission expires \_\_\_\_\_

State of \_\_\_\_\_  
County of \_\_\_\_\_

After Recording return to:  
Foothills Pinnacle LLC

c/o Mel Stewart

5761 Glenridge Way  
Klamath Falls, Oregon 97603

**TRU SURVEYING, INC. LINE**  
TELEPHONE (541) 884-3691  
2333 SUMMERS LANE • KLAMATH FALLS, OREGON 97603

DECEMBER 9, 1998

LEGAL DESCRIPTION OF LANDSCAPE EASEMENT

A 10 FOOT WIDE LANDSCAPE EASEMENT (BEING THE EASTERLY 10 FEET OF LOTS 37 AND 38 OF "TRACT 1344 - SEVENTH ADDITION TO NORTH HILLS". WHEN THE PLAT IS FILED) SITUATED IN THE SW1/4 NW1/4 OF SECTION 36, T38S, R9EWM, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 38 AND BEING ON THE WESTERLY RIGHT OF WAY LINE OF FOOTHILLS BOULEVARD, FROM WHICH THE WEST 1/4 CORNER OF SAID SECTION 36 BEARS S70°04'31"W 1303.93 FEET; THENCE ALONG THE SAID WESTERLY RIGHT OF WAY LINE, ON THE ARC OF A CURVE TO THE RIGHT (RADIUS POINT BEARS S76°29'35"W 950.00 FEET AND CENTRAL ANGLE EQUALS 13°30'25") 223.95 FEET AND SOUTH 24.73 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS EQUALS 20.00 FEET AND CENTRAL ANGLE EQUALS 60°00'04") 20.94 FEET; THENCE NORTH 42.05 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT (RADIUS EQUALS 940.00 FEET AND CENTRAL ANGLE EQUALS 13°20'27") 218.87 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 38; THENCE N61°15'39"E 10.37 FEET TO THE POINT OF BEGINNING, WITH BEARINGS BASED ON RECORD OF SURVEY 5073 ON FILE AT THE OFFICE OF THE KLAMATH COUNTY SURVEYOR.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

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

OREGON  
JULY 25, 1990  
DENNIS A. ENSOR  
2442

EXPIRES 12/31/99  
STATE OF OREGON: COUNTY OF KLAMATH: SS.

Filed for record at request of Amerititle  
of December A.D., 19 98 at 11:16 o'clock A. M., and duly recorded in Vol. M98  
of Deeds on Page 45562

FEE \$15.00

By Bernetha G. Letsch County Clerk