

State of Oregon, County of Klamath
 Recorded 04/25/2005 11:32a. m
 Vol M05 Pg 28982
 Linda Smith, County Clerk
 Fee \$ 21.00 # of Pgs 1

543885

CREATION OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that Dwain Herschback and Cheryl Herschback in consideration of mutual benefits for the hereinafter described property, and in consideration of the benefits accruing to adjacent property owners, we, the undersigned, do hereby irrevocably create the following described non-exclusive easement to be appurtenant to the property, with the rights and obligations hereinafter contained to run with the title to said parcel:

Parcels 1, 2, and 3 of Land Partition 6-05 being a replat of Parcel 2 of Land Partition 11-96 situated in the S $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 40 South, Range 11 E.W.M., Klamath County, Oregon.

The Easement hereby created shall provide vehicular and public utility access over and across the following:

The Southerly 30 feet of Parcel 1 and of Parcel 2 of Land Partition 6-05 being a Replat of Parcel 2 of Land Partition 11-96 situated in the S $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 40 South, Range 11 E.W.M., Klamath County, Oregon.

In Witness Whereof, the parties named have hereunto set their hands and seals this 20 day of April, 2005.

Dwain Herschback
 Dwain Herschback

Cheryl C Herschback
 Cheryl Herschback

State of Oregon)
 County of Dechutes ss.

Personally appeared Dwain Herschback and Cheryl Herschback and acknowledged the foregoing instrument to be their voluntary act and deed.

Kathy Brown
 Notary Public for Oregon



JF