

After recording return to:

net
o/c Bryan Phillips
4647 Winter Ave. #61
Klamath Falls, OR
97603

M05-71121

Klamath County, Oregon

12/15/2005 08:23:13 AM

Pages 2 Fee: \$26.00

CREATION OF A PRIVATE ROADWAY AND PUBLIC UTILITY EASEMENT

KNOW ALL MEN by these presents that BRYAN PHILLIPS AND MECHELLE PHILLIPS, do hereby enter into a creation of a private roadway and public utility easement over and across Parcel 2 of Land Partition 34-98, being in the Lot 16, Block 8 of ALTAMONT ACRES, situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Said easement is described as follows:

Beginning at the Northeast corner of Parcel 2 of Land Partition 34-98, thence South $00^{\circ} 51' 00''$ West 24.8 feet, thence North $89^{\circ} 09' 00''$ West 35.4 feet, thence North $00^{\circ} 51' 00''$ East 24.8 feet to the North line of said Parcel 2, thence South $89^{\circ} 09' 00''$ East 35.4 feet to the point of Beginning. (Bearings based on Land Partition 34-98.)

A map is attached as Exhibit "A" to help identify the easement.

Utilities shall have the right to install, maintain, and operate their equipment above and below ground and all other related facilities within the Private Roadway and Public Utility Easement identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the private roadway and public utility easement. The utility may require the lot owner to remove all structures within the public utility easement at the lot owner's expense, or the utility may remove such structures at the lot owner's expense. At no time may any permanent structures be placed within the private roadway and public utility easement or any other obstruction, which interferes with the use of the private roadway and public utility easement without the prior written approval of the utilities with facilities in the private roadway and public utilities easement.

The period of this easement shall be for perpetuity. This easement shall bind and inure for the benefit of, as the circumstances may require, not only to the Grantors but also to their heirs, successors and assigns.

Dated this 14 day of December 2005.


Bryan Phillips


Mechelle Phillips

State of Oregon
County of Klamath

This instrument was acknowledged before me on December 14 2005 by
Bryan Phillips and Mechelle Phillips as their voluntary act and deed.


Notary Public for Oregon

My commission expires May 30 2009



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SEE PARTITION PLAT CONSENT AFFIDAVIT
CONTAINED IN DEED VOLUME M 29, PAGE
27069.

Exhibit 1



SCALE

1" = 60'

LP 34-98

LEGEND

- FOUND MONUMENT AS SHOWN
- SET 5/8" x 30" IRON PIN WITH TRU-LINE SURVEYING, INC. PLASTIC CAP

