

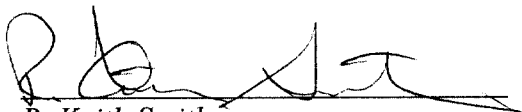
MTC 72921-SH

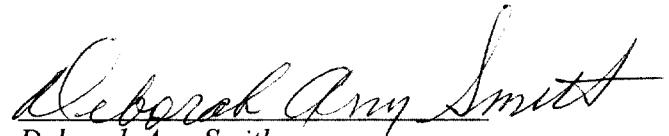
## CREATION OF A PUBLIC UTILITY EASEMENT

KNOW ALL MEN by these presents that R. Keith Smith and Deborah Ann Smith do hereby create the following public utility easement across the real property described in Exhibit "A" attached hereto and made a part hereof..

The parties desire to create this public utility easement for the benefit of Parcels 1 and 2 of Land Partition 59-05 and shall have the full use and control of their respective parcels. 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.


IN WITNESS WHEREOF, the parties have hereunto set their hands on the 24 day of January 2006.

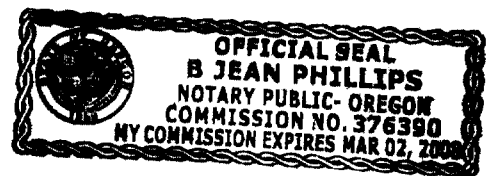
  
R. Keith Smith

  
Deborah Ann Smith

State of Oregon,  
County of Klamath

This instrument was acknowledged before me on the 24 day of January 2006 by R. Keith Smith and Deborah Ann Smith., as their voluntary act and deed.

  
Notary Public for Oregon  
My Commission Expires 3-2-08



After Recording return to:

Keith Smith  
15600 South Poe Valley Road  
Klamath Falls, OR 97603

20.00



## Description for Utility Easement

A strip of land 30.00 feet in width situated in the E½ SE¼ of Section 14, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, being a portion of Parcel 1 of Land Partition 56-93 and 15.00 feet on each side of the following described centerline:

Commencing at a point on the centerline of South Poe Valley Road, said point being the northwest corner of Parcel 1 of Land Partition 56-93; thence on the arc of a 7000.00 foot radius curve to the right through a delta angle of 1°25'57", the long chord bears North 60°26'30" East 175.00 feet; thence South 28°50'31" East 30.00 feet to the southerly right of way line of South Poe Valley Road and the True Point of Beginning for this description; thence continuing South 28°50'31" East 20.00 feet; thence 154.82 feet on the arc of a 100.00 foot radius curve to the right through a delta angle of 88°42'13", the long chord bears South 15°30'35" West 139.81 feet; thence 260.77 feet on the arc of a 250.00 foot radius curve to the left through a delta angle of 59°45'50", the long chord bears South 29°58'47" West 249.11 feet, to a point 15.00 feet distant from the west line of said Parcel 1, measured at a right angle; thence parallel to and 15.00 feet distant from said west line South 00°05'52" West 527.63 feet to the terminus of said strip, the sidelines of said strip to be shortened to terminate on the southerly line of South Poe Valley Road.

2605-01

Jan. 25, 2006

