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09/22/2006 10:05:10 AM

Fee: \$31.00

After recording return to:  
Rhine-Cross Group LLC  
430 Walnut Avenue  
Klamath Falls, OR 97601

**CREATION OF PUBLIC UTILITY EASEMENTS FOR TRACT 1436**

**KNOW ALL MEN** by these presents that Klamath Cascade Group LLC, grantor, in consideration of the approval of Tract 1436 does hereby create the following non-exclusive Public Utility Easements over and across a portion of the NW1/4 SE1/4 of Section 18, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County Oregon, owned by the grantor. The easements are described in Exhibit "A" and Exhibit "B" attached hereto and made a part hereof.

Said Public Utility Easements (PUE) are for the benefit and appurtenant to Tract 1436, Utilities shall have the right to install, maintain, and operate their equipment above and below ground and all other related facilities within the said public utility easement as may be necessary or desirable in providing utility services to Tract 1436, 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 PUE. The utility may require the grantor to remove all structures within the PUE at the grantor's expense, or the utility may remove such structures at the grantor's expense. At no time may any permanent structures be placed within the PUE, or any other obstruction, which interferes with the use of the PUE without the prior written approval of the utilities that have facilities in the PUE.

IN WITNESS WHEREOF, the grantor has executed this instrument this 21 day of September, 2006.

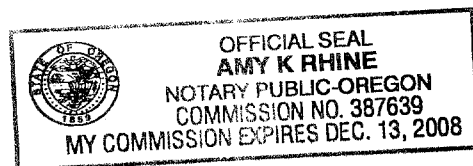
Bob Stewart, Manager, Cascade Group LLC

State of Oregon  
County of Klamath

This instrument was acknowledged before me on the 21 day of September, 2006 by Bob Stewart as his voluntary act and deed.

Notary Public for Oregon

My Commission expires 12/13/08



## EXHIBIT "A"

### HARBOR VIEW DRIVE PUBLIC UTILITY EASEMENT DESCRIPTION

An eight (8) foot wide public utility easement situated in the NW1/4 SE1/4 of Section 18, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, said easement lying northerly of and adjacent to the northerly right-of-way line of Harbor View Drive, said line being more particularly described as follows:

Commencing at the 2" iron pipe that marks the center 1/4 corner of said Section 18, which point is also the southeast corner of "First Addition to Terminal City", according to the official plat thereof on file in the office of the Klamath County Clerk; thence S.01°33'39"W., along the east line of Government Lot 2 of said Section 18, a distance of 450.01 feet to a point on a curve, said point being the **True Point of Beginning**; thence easterly along said northerly right-of-way line and the arc of a 526.50 foot radius curve to the right, through a central angle of 07°16'51" (the long chord of which bears S.76°55'09"E., 66.86 feet) an arc distance of 66.90 feet; thence S.74°57'09"E., 102.71 feet to the beginning of a non-tangent curve; thence along the arc of a 570.50 foot radius curve to the left, through a central angle of 41°55'40" (the long chord of which bears N.85°45'26"E., 408.23 feet) an arc distance of 417.48 feet; thence N.64°47'36"E., 124.49 feet to a point of curvature; thence along the arc of a 329.50 foot radius curve to the right, through a central angle of 20°10'31" (the long chord of which bears N.74°52'52"E., 115.43 feet) an arc distance of 116.03 feet; thence N.84°58'07"E., 33.46 feet to a point of curvature; thence along the arc of a 120.50 foot radius curve to the left, through a central angle of 18°39'08" (the long chord of which bears N.75°38'33"E., 39.06 feet) an arc distance of 39.23 feet to a point on the west right of way line of ESI Way; Basis of Bearings is Grid North, based upon the Oregon Coordinate System of 1983, South Zone.

## EXHIBIT "B"

### HARBOR VIEW DRIVE PUBLIC UTILITY EASEMENT DESCRIPTION

An eight (8) foot wide public utility easement situated in the NW1/4 SE1/4 of Section 18, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, said easement lying southerly of and adjacent to the southerly right-of-way line of Harbor View Drive, said line being more particularly described as follows:

Commencing at the 2" iron pipe that marks the center 1/4 corner of said Section 18, which point is also the southeast corner of "First Addition to Terminal City", according to the official plat thereof on file in the office of the Klamath County Clerk; thence S.01°33'39"W., along the east line of Government Lot 2 of said Section 18, a distance of 503.58 feet to a point on a curve, said point being the **True Point of Beginning**; thence easterly along said southerly right-of-way line and the arc of a 473.50 foot radius curve to the right, through a central angle of 06°23'32" (the long chord of which bears S.76°28'30"E., 52.80 feet) an arc distance of 52.83 feet; thence S.71°36'18"E., 102.71 feet to the beginning of a non-tangent curve; thence along the arc of a 629.50 foot radius curve to the left, through a central angle of 41°55'40" (the long chord of which bears N.85°45'26"E., 450.44 feet) an arc distance of 460.65 feet; thence N.64°47'36"E., 124.49 feet to a point of curvature; thence along the arc of a 270.50 foot radius curve to the right, through a central angle of 20°10'31" (the long chord of which bears N.74°52'52"E., 94.76 feet) an arc distance of 95.25 feet; thence N.84°58'07"E., 33.46 feet to a point of curvature; thence along the arc of a 179.50 foot radius curve to the left, through a central angle of 20°37'48" (the long chord of which bears N.74°39'14"E., 64.28 feet) an arc distance of 64.63 feet to a point on the west right-of-way line of ESI Way. Basis of Bearings is Grid North, based upon the Oregon Coordinate System of 1983, South Zone.