

After Recording Return To:
AmeriTitle
300 Klamath Avenue
Klamath Falls, Oregon 97601

2006-023941
Klamath County, Oregon



12/01/2006 11:25:19 AM

Fee: \$36.00

mpc 1396-8292
CREATION OF A PUBLIC UTILITY EASEMENT

KNOW ALL MEN by these presents that Billy J. Cox and Nicolette M. Cox, Tyler R. Cox and Rachael I. Cox,, and Doug B. Hullman and Debra I. Hullman, do hereby enter into an amendment of a public utility easement over and across Parcels 2 and 3 of Land Partition 5-96 being Lot 6 in Block 1 of CHALET VISTA. Situated in the SE1/4 of the SW1/4 of Section 32, Township 39 South, Range 10, E.W.M., Klamath County, Oregon. The owner of Parcel 1 of said partition has also entered into this easement as their parcel is also serviced by the public utility easement.

The public utility easement was originally created on the partition plat to be over the Westerly 90 feet of Parcels 2 and 3 and the parties desire to amend the easement to have the exact location defined.

Said easement is described in the attached Exhibit "A" and a map is attached as Exhibit "B" to help identify the amended utility easement.

Utilities shall have the right to install, maintain, and operate their equipment above and below ground and all other related facilities within the public utility easement identified on this ~~plat~~ attached map as may be necessary or desirable in providing utility services within and without the parcels 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 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 public utility easement or any other obstruction, which interferes with the use of the public utility easement without the prior written approval of the utilities with facilities in the public utility 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 13th day of November 2006.

Billy J. Cox
Billy J. Cox

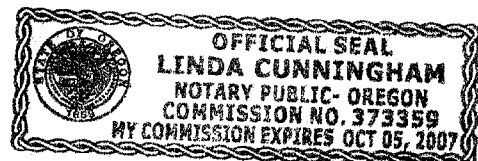
Nicolette M. Cox
Nicolette M. Cox

State of Oregon
County of Klamath

This instrument was acknowledged before me on Nov 13, 2006 by Billy J. Cox and Nicolette M. Cox to be their voluntary act and deed.

Linda Cunningham
Notary Public for Oregon

My commission expires 10-5-2007



AMERITITLE has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

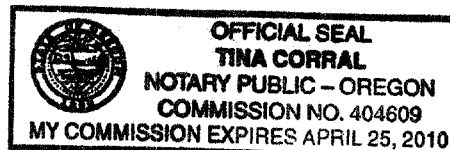
305

★ Tyler R. Cox

★ Racheal L. Cox

This instrument was acknowledged before me on 11-16-06 by
Tyler R. Cox and Racheal L. Cox to be their voluntary act and deed.

Tina Corral
Notary Public for Oregon



My commission expires 4-25-2010

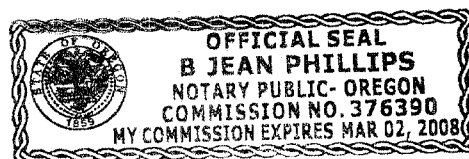
Doug B. Hullman
Doug B. Hullman

Debra I. Hullman
Debra I. Hullman

This instrument was acknowledged before me on 11-30-06
By Doug B. Hullman and Debra I. Hullman as their voluntary act and deed.

B Jean Phillips
Notary Public for Oregon

My Commission expires 3-2-08



TRU SURVEYING, INC. LINE

2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603
PHONE: (541) 884-3691

DENNIS A ENSOR O.L.S

JOHN HEATON L.S.I.T.

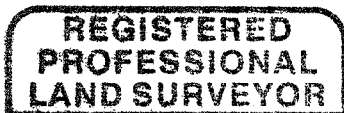
EXHIBIT "A"

October 20, 2006

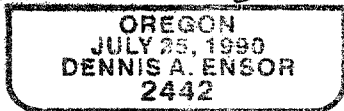
Legal Description of 16 foot wide utility easement

A 16 foot wide utility easement being a portion of parcels 2 and 3 of "Land Partition 5-96", situated in the SE1/4 SW1/4 of Section 32, T39S, R10EWM, Klamath County, Oregon, the centerline of which being more particularly described as follows:

Beginning at a point on the South line of said parcel 3, from which the Southwest corner of said parcel 3 bears N89°58'20"W 35.61 feet; thence N00°12'27"E 87.89 feet; thence N00°46'31"W 173.79 feet; thence N21°52'31"E 114.99 feet; thence N03°27'57"E 138.07 feet; thence N17°14'08"W 89.30 feet; thence N03°34'43"W 107.30 feet; thence N04°35'35"E 96.43 feet; thence N03°58'12"W 86.79 feet; thence N02°22'10"E 83.84 feet to a point on the North line of said parcel 2, with bearings based on record of survey 5922 on file at the office of the Klamath County Surveyor.



Dennis A. Ensor



Dennis A. Ensor

Dennis A. Ensor

O.L.S 2442

Expires 12/31/2007

EXHIBIT "B"

