

After recording return to: Carol Rogers  
16808 Hwy 140 E  
Dairy, OR 97625

2008-001308  
Klamath County, Oregon



01/31/2008 01:45:48 PM

Fee: \$26.00

76779

## CREATION OF AN ACCESS & UTILITY EASEMENT

KNOW ALL MEN by these presents that Clarence J. Rogers and Betty M. Rogers, in consideration of the approval of Land Partition 49-05. Do hereby irrevocably create a 30 foot wide access and public utility easement to be appurtenant to the respective partitioned parcels, with the rights and obligations hereinafter contained to run with the title to said parcel.

The Parcel to be partitioned is described as follows:

### PARCEL 1

The NW1/4 SE1/4 and the NE1/4 SW1/4 of Section 25, Township 38 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, lying Southerly of the OC&E Railroad.

EXCEPTING THEREFROM that portion of NE1/4 SW1/4, Section 25, Township 38 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point being on the Southerly R/W line of OC&E RR located North 1508 feet and South 89° 53' West 536 feet of SE corner of SW1/4 Section 25 Township 38 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; thence South 89° 53' East 100 feet thence South 60 feet, thence North 89° 53' East 100 feet, thence North 60 feet more or less to the point of beginning said parcel.

### PARCEL 2

The SE1/4 SW1/4 and the SW1/4 SE1/4 of Section 25, Township 38 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

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

Said easement is described in the attached Exhibit "A".

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 31<sup>st</sup> day of <sup>January</sup>~~February~~, 2008.

Clarence J. Rogers  
Clarence J. Rogers

Betty M. Rogers  
Betty M. Rogers

State of Oregon  
County of Klamath

This instrument was acknowledged before me on January 31<sup>st</sup>, 2008 by  
Clarence J. Rogers and Betty M. Rogers

Melissa Johnson  
Notary Public for Oregon, Klamath County

My commission expires October 12, 2010



26 ANT

EXHIBIT "A"

That portion of land, 30 feet wide, located in the NE1/4 SW1/4 of Section 25, Township 38 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

From the 1/4 corner between Sections 25 and 36 (from which the W1/16 corner of Sections 25 and 36, bears S89°50'21"W. 1322.52 feet); thence S89°50'21"W, 345.73 feet, along the south boundary of Section 25; thence leaving said south boundary, N23°04'52"W, 1621.60 feet to the southern boundary of the O. C. and E. Railroad right of way, and the true point of beginning of the center line of this 30 foot wide easement; thence N23°04'52"W, 162.72 feet, on said center line, to the southern right of way of Oregon State Highway No. 140. Excepting therefrom any and all portions of land which falls inside the O. C. and E. Railroad right of way.