

2009-005527

Klamath County, Oregon



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04/21/2009 11:49:46 AM

Fee: \$36.00

AFTER RECORDING, RETURN TO:

PBRE2 Corporation
c/o American Eagle Title Ins. Co.
410 North Walnut Avenue
Oklahoma City, OK 73104

Lawyers Title of Oklahoma City, Inc.
410 N. Walnut, Suite 100
Oklahoma City, OK 73104
File # 20902-080015

ATE 66293

TERMINATION OF EASEMENT

This Termination of Easement is executed this 14th day of April, 2009, by PBRE2 CORPORATION, a Delaware corporation, herein "Owner."

Owner is the owner of the real property heretofore benefited and burdened by those certain easements (herein "the Easements") recorded as follows:

- (a) Easement for roadway and utility purposes over a 60 foot wide strip, as described in deed recorded in Deed Volume M-65, Page 1168, records of Klamath County, Oregon;
- (b) Easement for road purposes over a 60 foot wide strip, as described in deed recorded in Deed Volume M-70, Page 1251, records of Klamath County, Oregon; and
- (c) Easement for road purpose over a 30 foot wide strip, as described in deed recorded in Deed Volume M-79, Page 4077, records of Klamath County, Oregon.

The Easements burdened land more particularly described in Exhibit "A" attached to and incorporated by reference in this Termination of Easement. Owner desires to terminate the Easements.

Owner hereby declares that the Easements are terminated. Owner hereby releases and conveys the easement rights afforded under the above referenced instruments to Owner, as owner of the land burdened by the Easements, for the purposes of merging said easement rights with the legal title and terminating the Easements. As part of this termination, all terms and provisions of the Easements are terminated and of no further force and effect.

PBRE2 CORPORATION, a Delaware corporation

By: David Polishook
David Polishook, President

STATE OF North Carolina County of Mecklenburg

The foregoing instrument was acknowledged before me this 14th day of April, 2009 by DAVID POLISHOOK as President of PBRE2 CORPORATION, a Delaware corporation, on its behalf.

Tammy M. Smith
Notary Public for NC
My commission expires: July 18, 2009

TAMMY M. SMITH
Notary Public
Mecklenburg County, NC
My Commission Expires July 18, 2009

EXHIBIT "A"

(Burdened Property)

[PARCEL 2]

Being a portion of the SW 1/4 of the NW 1/4 and NW 1/4 of the NW 1/4 of Section 8, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin on the Southeasterly right of way line of the Ashland-Klamath Falls highway, which iron pin is 30 feet at right angles Southeasterly from the center of said highway, that lies South $89^{\circ} 22 \frac{1}{2}'$ East along the section line a distance of 1321.4 feet and South $00^{\circ} 40 \frac{1}{2}'$ East along the 40 line, which is also the West line of Westover Terraces, a distance of 626.5 feet and North $89^{\circ} 22 \frac{1}{2}'$ West a distance of 106.2 feet and South $38^{\circ} 40 \frac{1}{2}'$ West along the Southeasterly right of way line of said highway a distance of 300 feet to the Westerly corner of property conveyed by William Ganong and Mildred Ganong, his wife, to Emery Hebert, Wilfred Hebert and Delina Hebert by deed recorded in Volume 147 Page 215, Deed Records of Klamath County, Oregon; thence continuing South $38^{\circ} 40 \frac{1}{2}'$ West along the Southeasterly line of said highway a distance of 682.6 feet to an iron pin, which pin is at the most northerly corner of property conveyed to E.W. Melosh by deed recorded In Volume 194, page 307, Deed Records of Klamath County, Oregon; thence at right angles South $51^{\circ} 19 \frac{1}{2}'$ East along the Northeasterly line of property conveyed to Melosh, VanHoosen and Patricia V. McBee, Jimmie A. Warner and Dean C. Mason, a distance of 930 feet, more or loss, to the 40 line, which is also the West line of Westover Terraces; thence North $0^{\circ} 40 \frac{1}{2}'$ West along said 40 line a distance of 875 feet, more or less, to an iron pin which is the most Southerly corner of the property conveyed to Heberts by the above described deed; thence North $51^{\circ} 19 \frac{1}{2}'$ West along the Southeasterly line of said property conveyed to Heberts a distance of 383.5 feet, more or less, to the true point of beginning.