

UTC 89021-SH

2010-013340

Klamath County, Oregon

RETURN TO:
Brandsness, Brandsness & Rudd, P.C.
411 Pine Street
Klamath Falls, OR 97601



00093040201000133400020027

11/17/2010 11:27:40 AM

Fee: \$42.00

EASEMENT AMENDMENT

THIS AGREEMENT, made and entered into this 16 day of November, 2010, by and between Karen Thomas ("Dominant Owner") and Gayla M. Cook ("Servient Owner"):

W I T N E S S E T H

WHEREAS, Dominant Owner is the record owner of the following described real property in Klamath County, State of Oregon, to-wit:

Lots 52, 53 and the South 50 feet of Lot 53B of Lakeshore Gardens, according to the official plat thereof on file in the Office of the County Clerk of Klamath County, Oregon; and

WHEREAS, Servient Owner is the record owner of the following described real property in Klamath County, State of Oregon, to-wit:

All of Lot 54 and the South 50 feet of Lot 55, Lakeshore Gardens, according to the official plat on file in the office of the County Clerk of Klamath County, Oregon,

which property suffers the burden of the easement, and

WHEREAS, Dominant Owner has the unrestricted right to modify the easement existing on the above-described real property of Dominant Owner created by the General Judgment in Klamath County Circuit Court Case No. 0604879CV filed May 8, 2008, which General Judgment modified the prior easement recorded November 19, 1983, in Volume M83, page 19849, records of Klamath County, Oregon. A copy of the existing easement from that General Judgment is attached hereto as Exhibit "1."

NOW, THEREFORE, Dominant Owner grants to Servient Owner the following rights:

1. the right to use the easement described on the attached Exhibit "1" for overflow parking. Said parking shall not be deemed interference with Dominant Owner's rights in the easement, provided any ingress and egress is available for said easement to the real property of Dominant Owner.

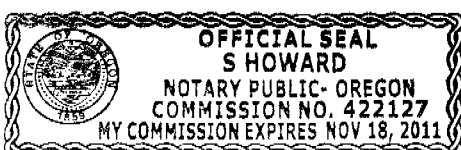
2. the right to site, locate, maintain and repair underground utilities and services, including but not limited to sewer and septic systems. Servient Owner agrees to take all necessary measures to provide the least interference with Dominant Owner's use of the easement.

Dated this 16 day of November, 2010.

Karen Thomas
Karen Thomas

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared before me this 16 day of November, 2010 the above-named Karen Thomas and acknowledged the foregoing instrument to be her voluntary act and deed.



S Howard
Notary Public for Oregon
My Commission expires: 11-18-11

42Awt

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.
SEAN METZGER L.S.I.T.

December 21, 2007

**Legal Description of
Driveway Encroachment**

Being a portion of lots 54 and 55 of "Lakeshore Gardens", situated in the SE ¼ NW ¼ of Section 25, T38S, R8EWM, Klamath County Oregon, being more particularly described as follows:
Beginning at the Northwest corner of lot 53 of Lakeshore Gardens; thence N 61°28'47" W a distance of 14.59 feet; thence N 51°11'07" W a distance of 27.87 feet; thence N 48°28'48" W a distance of 35.97 feet; thence N 44°56'40" W a distance of 34.22 feet; thence N 48°13'42" W a distance of 31.43 feet; thence S 53°35'39" W a distance of 3.98 feet; thence S 35°34'26" W a distance of 5.84 feet; thence S 09°59'30" E a distance of 10.26 feet; thence S 25°10'49" E a distance of 14.49 feet; thence S 33°02'50" E a distance of 15.91 feet; thence S 33°47'47" E a distance of 23.46 feet; thence S 26°53'55" E a distance of 17.82 feet; thence S 21°58'58" E a distance of 17.78 feet; thence S 20°14'04" E a distance of 12.84 feet, to the North property line of lot 53 of said subdivision; thence S 78°02'39" W a distance of 15.34 feet; thence leaving said line N 00°06'02" E a distance of 4.47 feet; thence N 17°21'43" W a distance of 24.43 feet; thence N 24°18'19" W a distance of 28.22 feet; thence N 52°23'49" W a distance of 18.86 feet; thence N 19°08'09" W a distance of 30.40 feet; thence N 15°04'26" W a distance of 19.63 feet; thence N 01°05'30" W a distance of 7.40 feet; thence N 12°47'25" E a distance of 8.76 feet; thence N 23°05'17" E a distance of 8.06 feet; thence N 70°59'07" E a distance of 4.34 feet; thence S 88°53'45" E a distance of 19.99 feet; thence S 22°05'06" E a distance of 27.32 feet; thence S 44°15'31" E a distance of 34.89 feet; thence S 45°56'00" E a distance of 33.66 feet; thence S 48°15'52" E a distance of 30.51 feet; thence S 57°52'04" E a distance of 13.62 feet; thence S 75°19'22" E a distance of 0.82 feet to the Westerly right of way of Lakeshore Drive; thence along said right of way along the arc of a 920.00 foot radius curve to the right the long chord of which bears S 23°10'44" E a distance of 19.88 feet to the true point of beginning containing 3789 square feet more or less with bearings based on ROS 7319 on file at the office of the Klamath County Surveyor.

Dennis A. Ensor

DENNIS A. ENSOR O.L.S. 2442

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Dennis A. Ensor

OREGON
JULY 25, 1990
DENNIS A. ENSOR
2442

EXPIRES 12/31/09

EXHIBIT "1"

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