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Kay Neumeier

2014-010857

Klamath County, Oregon



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10/16/2014 02:25:35 PM

Fee: \$47.00

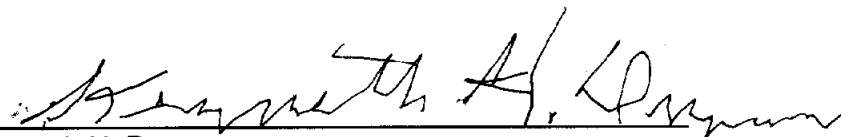
After recording return to:  
Rhine-Cross Group LLC  
112 North 5<sup>th</sup> Street - Suite 200  
Klamath Falls, OR 97601


### CREATION OF A SANITARY SEWER EASEMENT

**KNOW ALL MEN** by these presents that **Kenneth H. Duncan** and **Evelyn R. Duncan**, grantors, does hereby create the following 10 foot wide sanitary sewer easement over and across a portion of Parcel 1 of Land partition No. 86-05, owned by the grantors. The easement is described in **Exhibit "A"** attached hereto and made a part hereof.

Said easement is for the benefit of and use by the **City of Malin**, grantee, with the right of ingress and egress on the property covered by said easement for the purpose of inspecting, repairing, replacing, maintaining, constructing or removing said sanitary sewer system; provided that in the event of damage to adjacent premises, the party causing the damage shall repair same and place said premises in as good condition as they were immediately prior to such damage. Grantors agrees not to erect any structures within the easement area, or in any other way inhibit access to the sanitary sewer system.

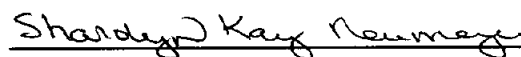
**IN WITNESS WHEREOF**, the grantor has executed this instrument this 16<sup>th</sup> day of October, 2014.

  
Kenneth H. Duncan

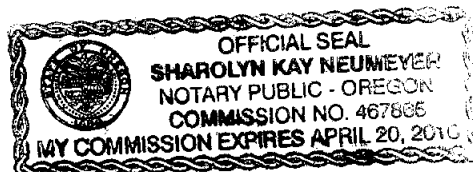
  
Evelyn R. Duncan

**State of Oregon**  
**County of Klamath**

This instrument was acknowledged before me on the 16<sup>th</sup> day of October, 2014 by Kenneth H. Duncan and Evelyn R. Duncan as their voluntary act and deed.

 Notary Public for Oregon

My Commission expires April 20, 2016



**EXHIBIT "A"**  
**SANITARY SEWER EASEMENT DESCRIPTION**

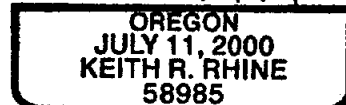
A strip of land being 10.00 feet wide over and across a portion of Parcel 1 of Land Partition 86-05, situated in the Southeast 1/4 of Section 16, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, the centerline of said strip being, more particularly described as follows:

Commencing at the northeast corner of Parcel 1 of Land Partition 53-08, as recorded at the Klamath County Clerk's office, said point being marked by a 5/8" rebar with a yellow plastic cap stamped "AES INC"; Thence along the East line of said Parcel 1, South 00°24'15" West, 5.00 feet to the True Point of Beginning; Thence, leaving said East line, South 89°56'33" East, 135.99 feet; Thence North 01°46'54" East, 316.75 feet; Thence along a line 5.00 feet South of and parallel with the South Right-of-Way line of Rush Avenue, South 89°46'08" East, 255.63 feet; Thence North 00°11'41" East, 5.00 feet to said South Right-of-Way line and the point of terminus, said point bears South 00°13'52" West, 15.00 feet and North 89°46'08" West, 379.99 feet from a Railroad spike marking the centerline intersections of Third Street and Rush Avenue. Bearings are based on CS#7238 & #6946.

Containing 0.16 acres, more or less.



*Keith R. Rhine*



RENEWAL DATE: *12/31/04*