

2018-005162

Klamath County, Oregon



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04/26/2018 03:30:12 PM

Fee: \$52.00

After recording return to:
Lithia Real Estate, Inc., an Oregon Corporation
150 N. Bartlett
Medford, OR 97501

CREATION OF A 45 FOOT WIDE CROSSOVER EASEMENT

KNOW ALL MEN by these presents that Lithia Real Estate, Inc., an Oregon Corporation, hereby grants a 45 foot wide crossover easement being a portion of that tract of land described as Parcel 1 as contained in Volume 2016 at page 008095 of the Klamath County Deed Records, being more particularly described as follows:

A 45 foot wide crossover easement situated in the SW1/4 NW1/4 and NW1/4 SW1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the East right of way line of Washburn Way, said point being the Northwest corner of Lot 2, Block 3 of "Tract 1080 - Washburn Park"; thence N00°03'30"E, along the said East right of way line, 25.00 feet; thence, leaving said right of way line, on the arc of a curve to the right (radius equals 50.00 feet and central angle equals 50°00'00") 43.63 feet; thence N50°03'30"E 25.00 feet; thence, on the arc of a curve to the left (radius equals 5.00 feet and central angle equals 50°00'00") 4.23 feet; thence N00°03'30"E 36.80 feet; thence S89°56'30"E 45.00 feet; thence S00°03'30"W 36.80 feet; thence, on the arc of a curve to the right (radius equals 50.00 feet and central angle equals 50°00'00") 43.63 feet; thence S50°03'30"W 25.00 feet; thence, on the arc of a curve to the left (radius equals 5.00 feet and central angle equals 50°00'00") 4.36 feet; thence S00°03'30"W 25.00 feet to a point on the North line of said Lot 2, Block 3; thence N89°56'30"W 45.00 feet to the point of beginning, with bearings based on the plat of "Tract 1080 - Washburn Park" on file at the office of the Klamath County Clerk.

Parcel 1 of Volume 2016 at page 008095 of the Klamath County Deed Records being described as follows:

Beginning at an iron pin on the East right of way line of the secondary Highway #420 (also known as Washburn Way) which lies North 0° 46' West along the section line a distance of 439.35 feet and North 89° 14' East a distance of 30 feet from the Brass Cap which marks the quarter section corner common to Section 3 and 4, Township 39 South, Range 9 East of the Willamette Meridian (which point lies North 0° 46' West 439.35 feet, more or less, from the Southwest corner of Tract 44 of Enterprise Tracts in Klamath County, Oregon) and running thence; Continuing North 89° 14' East a distance of 961.8 feet to an iron pin which lies on the Southerly right of way line of the O.C. & E. Railroad; thence North 67° 40' West along the Southerly right of way line of the O.C. & E. Railroad a distance of 1045 feet to an iron pin which marks the intersection of the Southerly right of way line of the O.C. & E. Railroad and the Easterly right of way line of the secondary Highway #420; thence South 0° 46' East parallel to the Section line a distance of 410 feet, more or less, to the point of beginning, said tract in Enterprise Tracts 44 and 35, which lie in the SW1/4 NW1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, in Klamath County, Oregon.

Tim Higday
Returned at Counter

This grant is made subject to the following conditions and restrictions: (a) Grantees, and any one claiming by, through or under grantees, shall not cause or permit any permanent building, structure or other obstruction, other than signs, gasoline pumps or similar service facilities, to be placed or located on the 45-foot strip. Said 45-foot strip shall be maintained in such a manner as to permit vehicular traffic to pass on either side of such permitted service facilities in the most direct northerly and southerly direction. (b) Said 45-foot strip shall be reserved for the use of the owners and occupants of the above-described property and the owners and occupants of adjoining properties to the South on Washburn Way upon which similar conditions and restrictions are imposed for the use and enjoyment of the owners and occupants, their customers, employees and invitees, for parking of automobiles and access to and egress from said parcels. (c) Grantees, in consideration of the reservation or granting of similar conditions and restrictions upon adjoining properties, agree to maintain said 45-foot strip in a safe and suitable condition for the uses and purposes herein recited. (d) The foregoing reservations and conditions are deemed to be appurtenant to the parcel herein described for the use and benefit of the owners and occupants, their customers, employees and invitees, of the subject property and the owners and occupants, their customers, employees and invitees, of the adjoining properties similarly restricted.

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.

IN WITNESS WHEREOF, Lithia Real Estate, Inc., an Oregon Corporation, has caused these presents to be signed by their Vice President this 19th day of April, 2018.

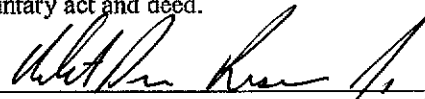
By: 
Mark DeBoer
Vice President of Lithia Real Estate

State of Oregon

ss.

County of Jackson

This instrument was acknowledged before me on the 19th day of April, 2018, personally appeared the above named Mark DeBoer, who acknowledged the foregoing instrument to be a voluntary act and deed.


Notary Public for the State of Oregon

My Commission Expires: February 29, 2020

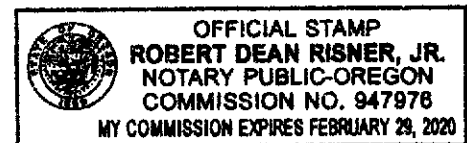
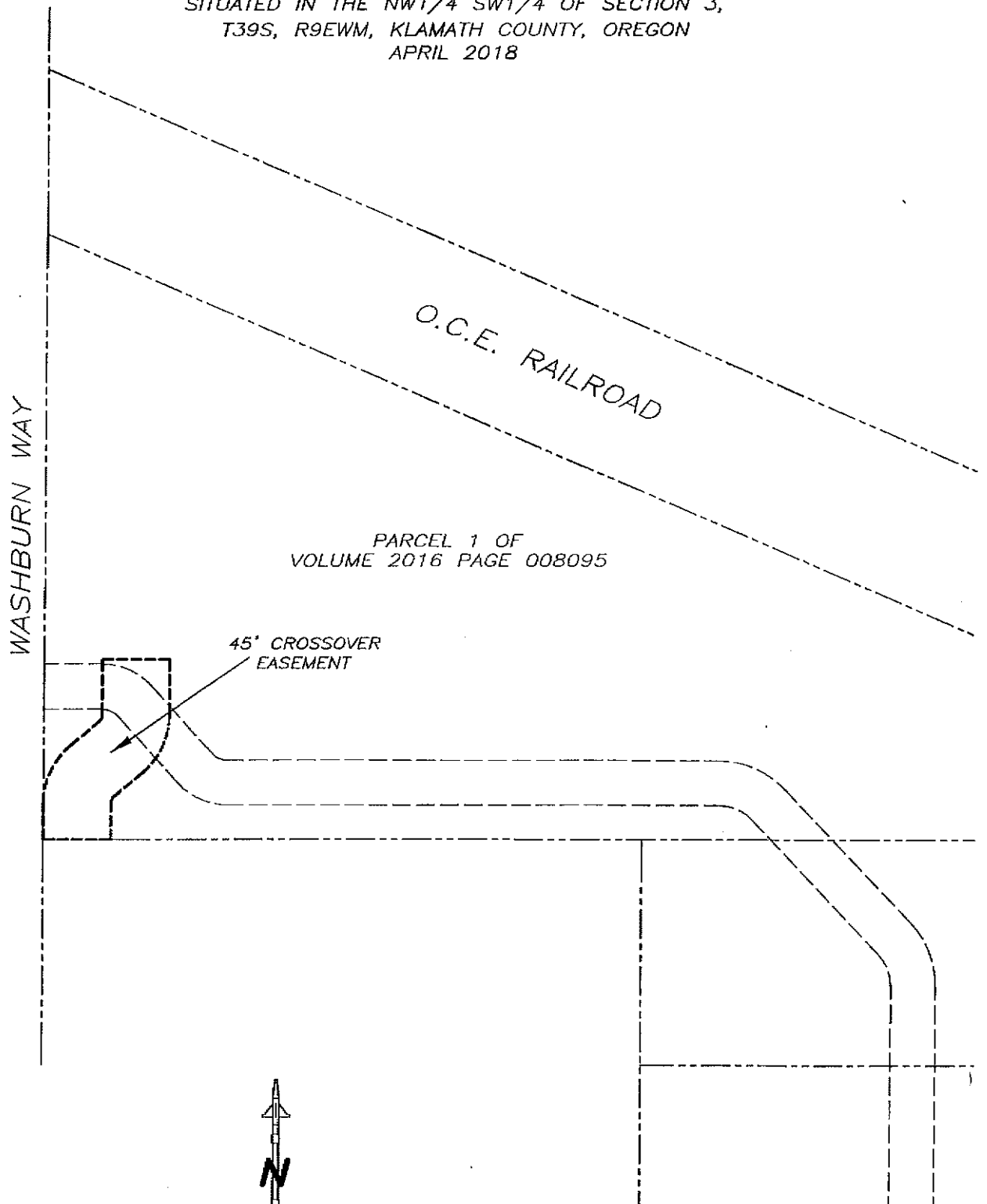


EXHIBIT MAP

45 FOOT CROSSOVER EASEMENT
SITUATED IN THE NW1/4 SW1/4 OF SECTION 3,
T39S, R9EWM, KLAMATH COUNTY, OREGON
APRIL 2018



SCALE
1" = 100'

MAPPED BY:

TRU SURVEYING LINE
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603