

STATE OF OREGON
County of Klamath

ss.

BE IT REMEMBERED THAT on this 30 day of September 1947, before me appeared Paul L. Franey and H. T. Franey, both to me personally known, who being duly sworn did say that he, the said Paul L. Franey, is the Mayor, and that he, the said H. T. Franey, is the Police Judge of the City of Klamath Falls, the within-named corporation; and that the seal affixed to said instrument was signed and sealed in behalf of said corporation by authority of its Mayor and Common Council, and that the said Paul L. Franey, Mayor, and H. T. Franey, Police Judge, acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Notarial Seal this day and year first in this, my certificate, written.



Notary Public for Oregon

My Commission Expires: 12/29/47

STATE OF OREGON; COUNTY OF KLAMATH, ss.
Filed for record at request of WILSON TRICE & ABSTRACT CO.
this 25 day of Sept A.D. 1947 at 2:30 o'clock P.M., and
duly recorded in Vol. 222, of Deeds on Page 241.

CHAS. P. DELAP, COUNTY CLERK

Dec 12

Paul L. Franey Deputy

43474 Vol. 225 Page 243

EXHIBIT "B"

EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That, for valuable consideration to them in hand paid by The California Oregon Power Company, a corporation, receipt whereof is hereby acknowledged, the undersigned Selma Furber, as Executrix-Administratrix of the Estate of Edgar L. Furber, deceased, herein referred to as GRANTOR, does hereby give and grant unto the said The California Oregon Power Company and California-Oregon Power Company, both corporations, its and their successors and assigns, herein referred to as GRANTEE, the perpetual right, privilege and easement to keep, maintain, regulate and control the waters of Lake Draine and the Klamath River at and between the surface elevations of 4085.0 and 4086.5 feet above sea level (United States Reclamation Service datum) where the same border on, or are adjacent to the following described lands, to-wit:

Situate in Klamath County, Oregon, Tracts 48 and 49, Tracts 58 to 65 inclusive, and Tracts 68 to 71 inclusive of Midland Tracts, as the same were shown on plat of said Midland Tracts prior to Order of Vacation entered by the County Court of Klamath County, Oregon, on July 5, 1944, together with such roadways as became attached to said Tracts pursuant to and as a result of said Vacation Order.

The grantor hereby releases and waives unto the grantee any damage or injury which may have resulted to said lands and crops thereon from any changes heretofore caused by the grantee in the natural condition of said waters or any variation in the surface level thereof and the grantor hereby releases and waives unto the grantee any damage or injury which may result to said lands or the crops thereon from said causes in the future at such time or times as said water surface elevation is kept between said levels.

This easement shall be a covenant running with the above described lands, and successors in interest of the parties hereto are hereby declared included, bound and benefited by the terms hereof.