

THIS INDENTURE WITNESSETH, That Susan J. McAuliffe and Ambrose McAuliffe, her husband, First Parties, for and in consideration of the sum of Ten Dollars and other valuable considerations to them in hand paid by Orville Elliott, a single man, and Harry O. Elliott and Alma M. Elliott, husband and wife, Second Parties, do hereby give and grant unto Second Parties, their heirs, grantees and assigns, a perpetual easement and right of way for an irrigation ditch over and across the following described premises, to-wit:

A strip of land fifty (50.0) feet in width over and across the SW $\frac{1}{4}$ -NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ -NW $\frac{1}{4}$ of Section 3, T. 34 S., R. 7 $\frac{1}{2}$ E., W.M., East of Wood River, in Klamath County, Oregon, being 25.0 feet in width on either side of the following described center-line:

Beginning at a point on the Northerly boundary of the south-east quarter (SE $\frac{1}{4}$) Section 3, T. 34 S., R. 7 $\frac{1}{2}$ E., W.M. said point being the terminus of the center-line of that parcel of land, recorded in page 371, volume 323 of the Deed Records of Klamath County, Oregon, from which the southeast corner of said section bears S 45° 18 $\frac{1}{2}$ ' E a distance of 3720.1 feet distant; thence N 36° 53 $\frac{1}{2}$ ' W a distant of 29.5 feet; thence S 89° 28 $\frac{1}{2}$ ' W 561.3 feet distant to a point; thence along a 114° 36' curve to the right (having a deflection angle of 37° 38', a radius of 50.0 ft., and a long chord which bears N 52° 53 $\frac{1}{2}$ ' W 61.1 feet) a distance of 65.7 feet; thence N 15° 15 $\frac{1}{2}$ ' W 210.0 feet; thence N 41° 34' W 182.0 feet; thence N 74° 40' W 226.0 feet more or less to a point on the east bank of Wood River upstream from the Meadows Drainage District diversion dam; being subject to all rights of way and/or easements of record or apparent on the premises.

Said easement and right of way is to run from a point on Wood River near the Meadows Drainage District dam to a point on the Northerly boundary of the SE $\frac{1}{4}$ of said Section 3 where it intersects and joins the strip of land heretofore conveyed unto Second Parties by Martha H. Nelson by deed recorded in Volume 323 at page 371 of Klamath County, Oregon, Deed Records.

TOGETHER WITH the right of ingress and egress to and from said easement on presently existing roads on First Parties' lands for the purpose of constructing, maintaining and repairing the irrigation ditch on said right of way. First Parties reserve unto themselves, their heirs, grantees and assigns forever, the right to construct bridges and crossings across said right of way.

Said easement and right of way shall forever be appurtenant to and for the benefit of the following described premises of Second Parties and each part and parcel thereof, to-wit:

The Crooked Creek Ranch in Klamath County, Oregon, owned by Second Parties, and more particularly described as follows:

All of the following is in Twp. 34 S. R. 7 $\frac{1}{2}$ E.W.M., Klamath County, Oregon:

In Section 1
All of the North half of the Southwest quarter, except the portion reserved by the grantor in deed dated August 10, 1938, and recorded Oct. 31, 1938, in Vol. 118, page 361 of Klamath County Deed Records.

In Section 2:
All of the South half of the Northeast quarter of the South-east quarter lying North and East of the Dalles-California Highway

as more particularly described in deed dated January 12, 1938, and recorded June 6, 1939, in Vol. 122 at page 439.

In Section 10:
Lot 4, except for one acre being exchanged with State Game Commission, and Lots 5, 6 and 7, the Northeast quarter of Northwest quarter and the Northeast quarter;

In Section 11:
The North half, the North half of the South half, and Lot 2,

In Section 12:
All of the Northwest quarter except that portion conveyed to State of Oregon by deed dated March 21, 1933, recorded March 29, 1933, in Vol. 99 at page 513 of Klamath County Deed Records;

The North half of the Southwest quarter;

All of Northwest quarter of Southeast quarter except 0.83 acres conveyed to State of Oregon by deed dated Sept. 30, 1938, recorded Jan. 23, 1939, in Vol. 120, page 101 of Klamath County Deed Records;

All of the Southeast quarter of Southeast quarter except 3.25 acres conveyed to State of Oregon by deed dated Sept. 30, 1938, recorded Jan. 23, 1939, in Vol. 120 at page 101 of Klamath County, Oregon Deed Records, and except 13.70 acres conveyed to State of Oregon by deed dated Oct. 1, 1938, recorded Jan. 28, 1939, in Vol. 120 at page 149 of Klamath County Deed Records, and except 3.7 acres conveyed to State of Oregon by deed dated Aug. 23, 1927, recorded Sept. 6, 1927 in Vol. 76 at page 390 of Klamath County, Oregon Deed Records

Said irrigation ditch shall be installed and maintained by Second Parties, their heirs, grantees and assigns without expense to the First Parties and their heirs, grantees and assigns.

TO HAVE AND TO HOLD the same unto Second Parties, their heirs, grantees and assigns, forever.

This easement and right of way document is given to amend that certain easement and right of way document dated February 24, 1965, recorded the 29 day of March, 1966, in Vol. M 66, page 2729, Records of Klamath County, Oregon.

IN WITNESS WHEREOF, First Parties have hereunto set their hands and seals this 12th day of May, 1966.

Ambrose M. McAuliffe (SEAL)

Susan J. McAuliffe (SEAL)

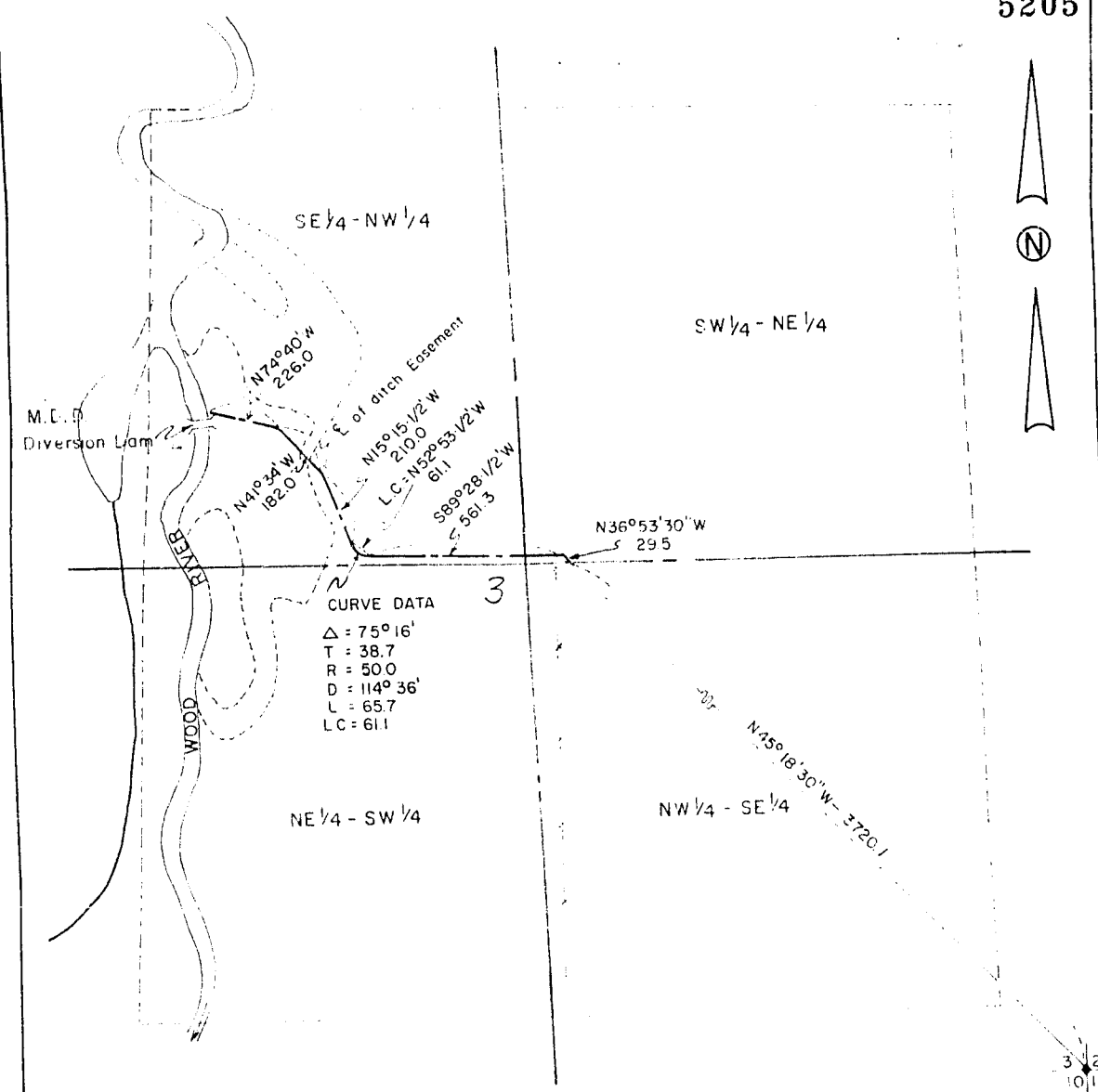
STATE OF OREGON)
COUNTY OF KLAMATH) ss.

Personally appeared the above named Susan J. McAuliffe and Ambrose McAuliffe, her husband, and acknowledge the foregoing instrument to be their voluntary act and deed. Before me: May 12th, 1966

(SEAL)

James Earl O'Brien
Notary Public for Oregon
My Commission expires: April 19, 1969

5205



MAP SHOWING SURVEY
SW 1/4 - NE 1/4 & SE 1/4 - NW 1/4, SEC. 3, T.4S., R.7 1/2E., WM.

EASEMENT OF AN IRRIGATION CANAL
HARRY O. & ALMA M. ELLIOTT

KLAMATH COUNTY OREGON

Scale 1" = 400 ft

Survey & Map by

WILLIAM L. WALES, JR.
CONSULTING ENGINEER
Klamath Falls, Oregon

April 14, 1966

5206

STATE OF OREGON, COUNTY OF KLAMATH, ss.

Filed for record at request of Ganong & Ganong & Gordon
this 16 day of May A.D. 19. 66 at 9:25 o'clock A.M., and
fully recorded in Vol. M-66, of Deeds on Page 5203.
Fee 6.00 pd DOROTHY ROGERS, County Clerk
By *L. Senecal*