

IRRIGATION DITCH EASEMENT

WITNESSETH: That for and in consideration of \$1.00 and other valuable consideration V. L. Rentle and Barbara Rentle, husband and wife, hereinafter referred to as the Grantors, do hereby bargain, sell, transfer and convey unto Carson Merkley and Elizabeth M. Merkley, husband and wife, hereinafter referred to as the Grantees, a permanent easement and right of way across the hereinafter described real property, including the right of ingree and egress, at reasonable times and places, for the purpose of constructing, repairing, maintaining, and using said lands for the transmission of water from a point which is substantially the center of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29, in Township 36 South, Range 14 East of the Willamette Meridian, to a point which is just North of the O.C. & E. Railroad right of way in the Section line between Sections 28 and 29, which point is approximately 300 feet North of the NW Cr. of SE $\frac{1}{4}$ of Sec. 28, Township 36 South, Range 14 E.W.M., all descriptions being in Klamath County, Oregon.

That the property over which said easement is granted is described as follows:

A strip of land approximate 20 feet in width running between the two aforesaid points in a Northeasterly direction, all as more particularly set forth in the survey map which is attached hereto and by reference incorporated herein, and located in the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29, Township 36 South, Range 14 E.W.M., Klamath County, Oregon, and the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 29, Township 36 South, Range 14 E.W.M.

The Grantees shall also have the right to do reasonable excavation, cleaning and clearing of the ditch to facilitate the flow of water.

The Grantees do hereby covenant with the Grantors that the Grantees as a portion of the consideration for this conveyance,

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will not use said easement in a manner so as to cause any unnecessary damage to Grantors' property and will reimburse Grantors for any damages caused to Grantors by Grantees' use of the property. Grantees further agree that if at a subsequent time it shall become necessary because of the water transmission ditch and because of access problems caused to Grantors by Grantees' ditch, that Grantees will by culvert, bridge or other means, at Grantees' expense, make provision for such reasonable access by the Grantors between Grantors' lands.

IN WITNESS WHEREOF, the Grantors and Grantees do hereunto affix their signatures this 23rd day of February, 1972.

Vincent L. Rentle
Grantor

Carson Merkley
Grantee

Barbara A. Rentle
Grantor

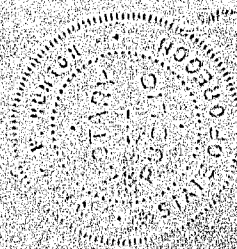
Elizabeth M. Merkley
Grantee

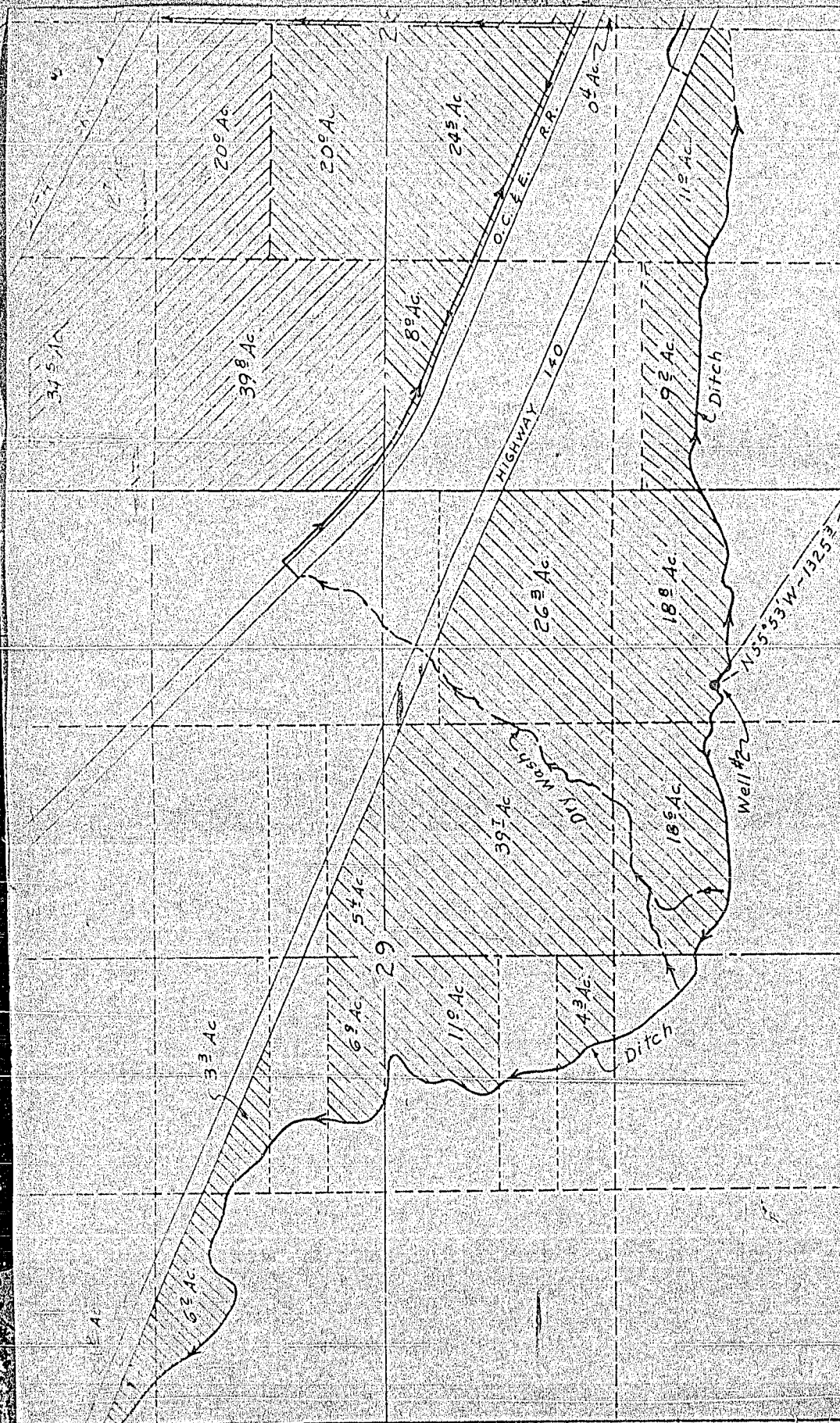
STATE OF OREGON }
County of Klamath } ss.

February 23rd, 1972

Personally appeared the above named V. L. Rentle and Barbara Rentle, husband and wife, and Carson Merkley and Elizabeth M. Merkley, husband and wife, and acknowledged they executed the foregoing easement freely and voluntarily for the purposes set forth therein.

Jackie Linton
NOTARY PUBLIC FOR OREGON
My commission expires May 14, 1973





STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Elizabeth Merkley

this 15th day of March A. D. 1972 at 11:46 o'clock A M. and duly recorded in

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Fee \$6.00

WM. D. MILNE, County Clerk

B.

John Clark, Deputy