

82709

Vol. 23 Page 14085Form FHA 442-20
(3-4-68)UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to

B. & W LAND AND CATTLE CO.hereinafter referred to as GRANTOR, by PINE FLAT DISTRICT IMPROVEMENT COMPANY
hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, the GRANTOR does hereby grant,
bargain, sell, transfer, and convey unto the GRANTEE, its successor and assigns, a perpetual easement with the right
to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and removeA drainage ditch as presently constructedover, across, and through the land of the GRANTOR situate in Klamath County,
State of Oregon, said land being described as follows:Located in Section 25 T 38 S R 10 E WM and
Section 31 T 38 S R 11 1/2 E WM.together with the right of ingress and egress over the adjacent lands of the GRANTOR, his successors and assigns, for
the purposes of this easement.The easement shall be 40' & 88.5' feet in width, the center line of which is described as follows:As set forth in Exhibit AThe consideration hereinabove recited shall constitute payment in full for any damages to the land of the GRANTOR,
his successors and assigns, by reason of the installation, operation, and maintenance of the structures or improvements
referred to herein. The GRANTEE covenants to maintain the easement in good repair so that no unreasonable damage
will result from its use to the adjacent land of the GRANTOR, his successors and assigns.The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of
the GRANTEE, its successors and assigns.IN WITNESS WHEREOF, the GRANTORS have executed this instrument this 27th day of July
19 73.B. & W LAND & CATTLE CO.By Donald E. Wagner (SEAL)Betty A. Wagner (SEAL)

FHA 442-20 (3-4-68)

Form 819-707

STATE OF OREGON, County of Klamath, ss. July 27, 19 73
Personally appeared the above named DONALD E. WAGNER and BETTY A. WAGNER,
President and Secretary respectively of B. & W LAND & CATTLE CO.
and acknowledged the foregoing instrument to be its voluntary act and deed.Before me: [Signature]
Notary Public for Oregon
My commission expires 9/17/74.

(NOTARIAL SEAL)

14086

A strip of land 40 feet wide lying 40 feet to the South of the following described line:

Beginning at a point on the West line of NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25 T 38 S R 10 E WM, said point being on the Southerly right of way line of Oregon, California and Eastern Railroad; Thence Easterly along said right of way line to a point on the East line of SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31 T 38 S R 11 $\frac{1}{2}$ E WM, excluding a portion 80 feet in length located 40 feet East and 40 feet West of a well located 15 feet South of Oregon, California and Eastern Railroad, said excluded portion shall be an easement for construction, maintenance, and access to the Pine Flat Improvement District.

That portion of Lot 2 Section 31 T 38 S R 11 $\frac{1}{2}$ E WM lying West of the following described line:

Beginning at a point on the North line of Lot 2 88.5 feet East of the West line of Section 31 T 38 S R 11 $\frac{1}{2}$ E WM; Thence South to a point on the Southerly right of way line of Oregon, California and Eastern Railroad and excluding rights of way for Oregon, California and Eastern Railroad and Oregon Highway 140 which are included in the above described land.

Exhibit A

STATE OF OREGON, COUNTY OF KLAMATH ss.

Filed for record at request of George Proctor

this 18th day of October A.D. 1973 at 4:20 P.M. and
duly recorded in Vol. 1173 of Deeds on Page 14086

W.D. MILNE, County Clerk

By *Hazel Drazil*
Fee 4.00

*Proctor + Buckett
280- main
ME.*