

AUG 28 1 55 PM 1974

KNOW ALL MEN BY THESE PRESENTS, That L. A. SWETLAND, M.D., P.C., PENSION AND PROFIT SHARING TRUST; R. H. OTTEMAN, M.D., P.C., PENSION AND PROFIT SHARING TRUST; ORE-CAL GENERAL WHOLESALE, INC., an Oregon corporation, and GARRET D. HILYARD and BETTY JEAN HILYARD, husband and wife, herein called "grantors", for and in consideration of the sum of ONE DOLLAR and other good and valuable consideration to them paid, the receipt of which is hereby acknowledged, do by these presents grant to PAUL WHITLATCH and BARBARA WHITLATCH, husband and wife, herein called "grantees", the perpetual right and easement to construct, operate, maintain and repair an irrigation ditch along and upon the following-described real property, situated in Klamath County, Oregon, to-wit:

A strip of land 10 feet in width being measured 10 feet easterly at right angles from and being adjacent to the easterly right of way line of State Highway No. 39 (Klamath Falls-Merrill Highway) in the SW1/4, Section 18, Township 39 S., R. 10 E.W.M., Klamath County, Oregon, said strip of land being bounded on the North by the South line of that tract of land described in Deed Volume 81, Page 137, Klamath County Deed Records, and being bounded on the South by the North line of the following-described tract of land:

Beginning at the intersection of the South line of the SW1/4, said Section 18, with the easterly right of way line of said Highway; thence easterly along the South line of the SW1/4 of said Section 18, 800 feet; thence North and parallel with the easterly line of said Highway 260 feet; thence westerly parallel with the southerly line of the SW1/4, said Section 18, 800 feet to the easterly line of said Highway; thence southerly along the easterly line of said Highway 260 feet to the point of beginning.

The within grant is made for the benefit of and shall inure to the tract of land last hereinabove described.

TO HAVE AND TO HOLD the same unto said grantees, their successors and assigns forever.

IN WITNESS WHEREOF, said grantors have caused this Easement to be executed this 28th day of August, 1974.

L. A. SWETLAND, M.D., P.C.,
PENSION AND PROFIT SHARING TRUST

By [Signature]

R. H. OTTEMAN, M.D., P.C.,
PENSION AND PROFIT SHARING TRUST

By [Signature]

(Easement - 1)

STATE OF OREGON
County of Klamath
Personal
JEAN HILYARD
described &
foregoing in
-Before me
[Signature]
STATE OF OREGON
County of Klamath

10528

ORE-CAL GENERAL WHOLESALE, INC.

By 9/1/74 President

By Jewell Huston Secretary

Garret D. Hilyard and Betty Jean Hilyard

STATE OF OREGON }
County of KLAMATH } ss. August 28, 1974

Personally appeared the above-named GARRET D. HILYARD and BETTY JEAN HILYARD, husband and wife, known to me to be the identical persons described as grantors in the within Easement, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

J. Jewell Huston
NOTARY PUBLIC FOR OREGON
My commission expires 10/19/75

STATE OF OREGON }
County of KLAMATH } ss. 8-28, 1974

Personally appeared HARRY R. WAGGONER and JEWELL HUSTON, who, being first duly sworn, did say that they are the President and Secretary, respectively, of ORE-CAL GENERAL WHOLESALE, INC., an Oregon corporation, and that the foregoing Easement was signed in behalf of said corporation by authority of its board of directors; and they acknowledged said Easement to be its voluntary act and deed.

Before me:

E. P. Huff
NOTARY PUBLIC FOR OREGON
My commission expires 2-14-76

STATE OF OREGON }
County of KLAMATH } ss. August 28, 1974 10529

Personally appeared L. A. SWETLAND, Trustee under the L. A. SWETLAND, M.D., P.C., PENSION AND PROFIT SHARING TRUST, known to me to be the identical person who executed the foregoing Easement, and acknowledged said instrument to be his voluntary act and deed.

Before me:

L. J. J. J. J.
NOTARY PUBLIC FOR OREGON
My commission expires 10/19/75

STATE OF OREGON }
County of KLAMATH } ss. August 28, 1974

Personally appeared R. H. OTTEMAN, Trustee under the R. H. OTTEMAN, M.D., P.C., PENSION AND PROFIT SHARING TRUST, known to me to be the identical person who executed the foregoing Easement, and acknowledged said instrument to be his voluntary act and deed.

Before me:

L. J. J. J. J.
NOTARY PUBLIC FOR OREGON
My commission expires 10/19/75

STATE OF OREGON, }
County of Klamath }
Filed for record at XXXXXX

on this 28th day of AUGUST A.D. 19 74
at 1:56 o'clock PM, and duly
recorded in Vol. M 74 of DEEDS
Page 10527
Wm D. MILNE, County Clerk
By *[Signature]* Deputy
Fee \$ 6.00

Return to: Paul Whitlatch
5033 Highway 39
Klamath Falls, Or.