

EASEMENT

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RECEIVED JUL 2 1975

12/15/75

KNOW ALL MEN BY THESE PRESENTS, that FRANK H. and ALICE O. BROWN, and FIRST FEDERAL SAVINGS & LOAN ASSOCIATION of KLAMATH FALLS, MORTGAGEE, in the County of Klamath, State of Oregon, hereinafter called the Grantors, in consideration of the sum of Ten Dollars (\$10.00) to them paid by OREGON WATER CORPORATION, a public utility of the State of Oregon, hereinafter called the Grantee, the receipt of which is hereby acknowledged, hereby grant, bargain, sell and convey unto the Grantee, its successors and assigns, a perpetual easement ten (10) feet in width for the purpose of laying, constructing, operating, maintaining, changing, relocating, removing and/or replacing one or more mains or pipelines, with necessary or desirable appurtenances thereto, for the transmission of water for all useful purposes upon, over and across adjacent real property of the Grantors in the SW 1/4 of SW 1/4, Section 36, T. 38S., R. 9 E.W.M.

A strip of land 10 feet in width, five (5) feet on either side of the following described centerline:

Beginning at a point on the westerly right of way line of Ogden Street, which is 106.0 feet South of the Northeast corner of Lot 16, Block 1, Shasta View Tracts. Thence westerly on a line parallel to the North line of Lots 15, and 16, Block 1, Shasta View Tracts, approximately 595.1 feet to the easterly right of way line of Madison Street.

Together with the right of ingress to and egress upon and across the adjacent real property of the Grantors, using present and future roads thereon to the extent available, and with the right to clear and keep clear each and every part of said easement, all for the purpose of exercising in any and all respects the rights hereby granted.

PROVIDED, that all mains and pipelines shall be laid on said easement not less than two and one-half (2-1/2) feet below the surface of the ground, and in all operations such surface shall be restored as nearly as may be practicable to its original condition. Grantors reserve and retain the right to cultivate or otherwise use said easement in any manner or for any purpose which does not interfere with, or is not inconsistent with

the proper exercise of the rights therein hereby granted to the Grantee, but the Grantors shall in no event construct or maintain nor permit the construction or maintenance of any buildings or other structures upon or above said easement in such manner as to prevent reasonable access thereto.

AND, the Grantors covenant that they are lawfully seized in fee simple of the above granted real property free from all encumbrances, and they will and their heirs, executors and administrators shall warrant and forever defend the above granted real property and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals this 2nd day of July, 1975.

Frank H. Brown (Seal)  
Frank H. Brown

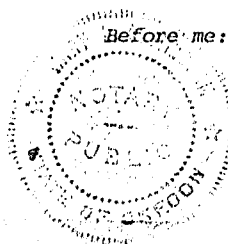
Alice O. Brown (Seal)  
Alice O. Brown

Van S. Mollison (Seal)  
Van S. Mollison, President  
First Federal Savings & Loan Association

STATE OF OREGON )  
COUNTY OF KLAMATH) SS.

On this 2nd day of July, 1975 personally appeared the above named Frank H. Brown and Alice O. Brown, husband and wife, and Van S. Mollison, President of The First Federal Savings & Loan Association, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



Marion J. Cottonigbaum  
Notary Public for Oregon

My Commission Expires: March 30, 1979

R. Oregon Water  
P.O. Box 237  
Klamath Falls, Ore.  
97601

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of GLEN BOWEN OREGON WATER CO.,

this 2nd day of July A. D., 19 75 at 12:15 o'clock P.M., and duly recorded in Vol. xx M 75, of DEEDS on Page 7516

FEE \$ 6.00

WM. D. MILNE, County Clerk

By W. D. Milne Deputy