

EASEMENT

Ref: KF-75-34

6007

Vol. 12591 Page 1

75 OCT 10 PM 3 33

KNOW ALL MEN BY THESE PRESENTS, that DONALD L. and HAZEL R. SLOAN, 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 and distribution of water for all useful purposes upon, over and across adjacent real property of the GRANTORS in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, T.39S., R.9E., W.M.

A strip of land 10 feet in width, 5 feet each side of, measured at right angles to, the following described centerline:

Beginning at a point on the East line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T39S, R9EWM, Klamath County, Oregon, said point being N 0° 10'00"W 475.00 feet from the S $\frac{1}{4}$ of said Section 11; thence S89° 50'00"W 22.94 feet; thence along the arc of a curve to the right (radius = 325 feet, central angle = 30° 14'05") 171.50 feet; thence N59° 55'55"W 260.00 feet; thence S30° 04'05"W 105.00 feet to the northerly line of the U.S.B.R. irrigation lateral F-7(A-3-C), with bearings based on Tract 1025, Winchester.

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 no less than two and one-half (2- $\frac{1}{2}$) 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 8 day of Oct., 1975.

Donald L. Sloan (Seal)
Donald L. Sloan
Hazel R. Sloan (Seal)
Hazel R. Sloan

STATE OF OREGON)
COUNTY OF KLAMATH) SS.

On this 8th day of October, 1975 personally appeared the above named DONALD L. and HAZEL R. SLOAN, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Mary L. Cottingham
Notary Public for Oregon
My Commission Expires: March 30, 1979

Ret: Chas Water Co
80134 237
City

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of OREGON WATER COMPANY

this 10th day of OCTOBER A. D., 19 75 at 3:33 o'clock P M., and duly recorded in Vol. M. 75, of DEEDS on Page 12591

FEE \$ 6.00

WM. D. MILNE, County Clerk

By Hazel R. Sloan Deputy