

EASEMENT

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KNOW ALL MEN BY THESE PRESENTS, that WASHBURN ENTERPRISES, INC., of Klamath County, Oregon and the FIRST NATIONAL BANK OF OREGON, an Oregon Corporation, 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 twelve (12) 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 NE $\frac{1}{4}$ of Section 4, T39S. R. 9E W.M., Klamath County, Oregon.

A waterline easement, 12 feet in width, measured at right angles to the following described East line of said easement, situated in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 4, T39S, R9EWM, Klamath County, Oregon:

Beginning at a point on the southerly line of an easement conveyed to Oregon Water Corporation by Deed Volume M67, page 5156, as recorded in the Klamath County Deed Records, said point bears N31° 56' 43"W a distance of 1334.65 feet from the East one-fourth corner of said section 4; thence S.00° 07'05"W., 173.85 feet; thence S23° 08'45"W 60.00 feet to a point which is 230 feet from, measured at right angles to, the southerly right of way line of the O.C. & E. Railroad, said point being N66° 51'15"W 141.40 feet from the northeast corner of the Maywood Industries of Oregon property.

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 $\frac{1}{2}$) feet below the surface of the ground, and in all operations such surface shall be restored as nearly

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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 22nd day of October, 1975.

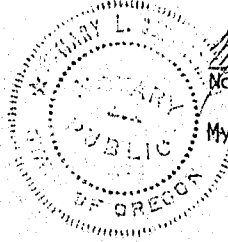
WASHBURN ENTERPRISES, INC.,
Dorman A. Turner (Seal)
(Seal)

FIRST NATIONAL BANK OF OREGON
R. C. Perdue (Seal)
Vice Pres & Mgr

STATE OF OREGON)
COUNTY OF KLAMATH) SS.

On this 22nd day of October, 1975 personally appeared the above named Dorman A. Turner, President of Washburn Enterprises, Inc., and R. C. Perdue, Vice President and Manager, First National Bank of Oregon, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:


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

*Ore. Water Co.
P.O. Box 237
City*

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of OREGON WATER CO
this 23rd day of OCTOBER A. D., 1975 at 3:09 o'clock P M., and duly recorded in
Vol. N 75 of DEEDS on Page 13279

FEE \$ 6.00

WM. D. MILNE, County Clerk
By *Harold Dwyer* Deputy

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