

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, SOUTH VALLEY STATE BANK, a corporation organized and existing under and by virtue of the provisions of Chapter 707, Oregon Revised Statutes, herein called "grantor", for good and valuable consideration to it paid by ENTERPRISE IRRIGATION DISTRICT, a municipal corporation organized and existing under and by virtue of the provisions of Chapter 545, Oregon Revised Statutes, herein called "grantee", does hereby grant, give and convey unto said grantee, its successors and assigns, the perpetual right and easement to construct, reconstruct, use, operate, maintain and repair an underground irrigation pipe as set forth on the plat attached hereto, marked Exhibit A and by this reference made a part hereof, and an underground 8-inch service pipe as shown on the plat attached hereto, marked Exhibit B and by this reference made a part hereof, both of which easements are located upon the following-described real property, situated in Klamath County, Oregon, to-wit:

Beginning at a point on the northerly right of way line of The Dalles-California Highway, also known as South Sixth Street, which lies N. 0°55' W. 30 feet and N. 89°21' E. 602.4 feet along said right of way line from the center of Section 2, Township 39 S., R. 9 E.W.M., which said point of beginning is the SE corner of property described in Deed Volume 258, Page 258, records of Klamath County, Oregon; thence continuing N. 89°21' E. along said northerly right of way line 386.4 feet, more or less, to the SW corner of property described in Deed Volume 149, Page 497, records of Klamath County, Oregon; thence N. 0°46' W. along said West line 189.4 feet, more or less, to the southerly boundary of Pleasant Home Tracts No. 2; thence S. 89°21' W. along the southerly boundary of Pleasant Home Tracts No. 2, 386.4 feet, more or less, to the NE corner of property described in Deed Volume 258, Page 258; thence S. 0°59' E. along the East line of said property 189.41 feet, more or less, to the point of beginning, EXCEPTING THEREFROM the easterly 180 feet, being a portion of the SW 1/4 NE 1/4, Section 2, Township 39 S., R. 9 E.W.M. SAVING AND EXCEPTING THEREFROM that portion conveyed to State of Oregon by and through its State Highway Commission by deed recorded December 23, 1965, as Document NO. 2833, M-65, Page 4933, microfilm records of Klamath County, Oregon,

together with the right of ingress and egress for the purpose of maintaining, reconstructing and replacing said underground irrigation and service pipes.

Grantor, for itself, its successors and assigns, agrees to maintain said pipes in their present condition and in the event grantor,

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its successors or assigns, shall fail to repair and maintain the same within 10 days of the receipt of written notice of a defect therein, which is grantor's responsibility to repair, grantee may, but is not obligated to, enter upon the real property hereinabove described and repair said pipe or pipes and in such event grantor agrees to pay to grantee, upon demand, all reasonable costs and expenses incurred by grantee in performance of such work.

TO HAVE AND TO HOLD the same unto grantee, its successors and assigns forever.

In consideration of the grant of the foregoing easement, grantee hereby grants, releases and quitclaims unto grantor, its successors and assigns, all other easements and rights of way and other interests, if any, of grantee which grantee has or may claim in and to the above-described parcel of land by virtue of any deed, conveyance, prescriptive right or claims of right by adverse possession or otherwise.

IN WITNESS WHEREOF, the parties hereto, pursuant to resolutions of their respective boards of directors, have caused these presents to be signed by the president and secretary of each party this 21st day of September, 1978.

SOUTH VALLEY STATE BANK

By [Signature] President

By [Signature] Assistant Cashier

ENTERPRISE IRRIGATION DISTRICT

By [Signature] President

By [Signature] Secretary

STATE OF OREGON
County of KLAMATH }

ss. September 21, 1978

Personally appeared LLOYD M. JENSEN and DAVID L. KENNEDY, who, being first duly sworn, did say that they are the President and Assistant Cashier, respectively, of SOUTH VALLEY STATE BANK, an Oregon corporation, and that the foregoing Easement was signed in behalf of said SOUTH VALLEY STATE BANK by authority of its board of directors; and they acknowledged said Easement to be its voluntary act and deed.

Before me:

[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires 12-21-78

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STATE OF OREGON } ss. 17 Aug 22, 1978
County of KLAMATH }

Personally appeared Joe L. Keller and Bernice Callman,
who, being first duly sworn, did say that they are the President
and Secretary, respectively, of ENTERPRISE IRRIGATION DISTRICT,
a municipal corporation, and that the foregoing Easement was signed in
behalf of said ENTERPRISE IRRIGATION DISTRICT by authority of its board
of directors; and they acknowledged said Easement to be its voluntary
act and deed.

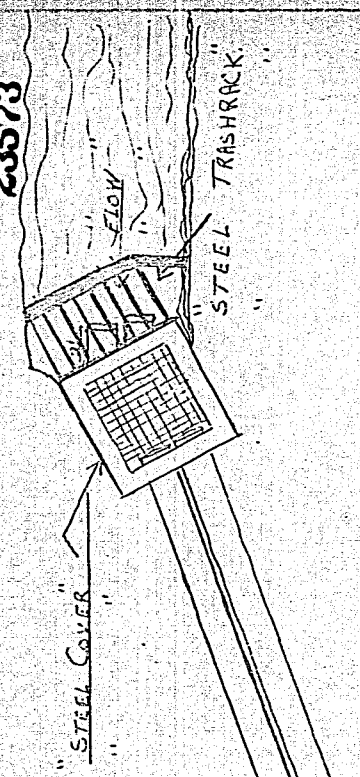
Before me:

George H. Parker
NOTARY PUBLIC FOR OREGON
My commission expires 9-18-78

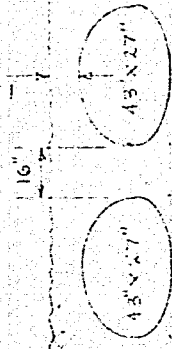
Return to:

H.F. SMITH
Attorney at Law
640 Main Street
Klamath Falls, OR 97601

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15 APPROX. COVER



TYPICAL PIPE INSTALLATION

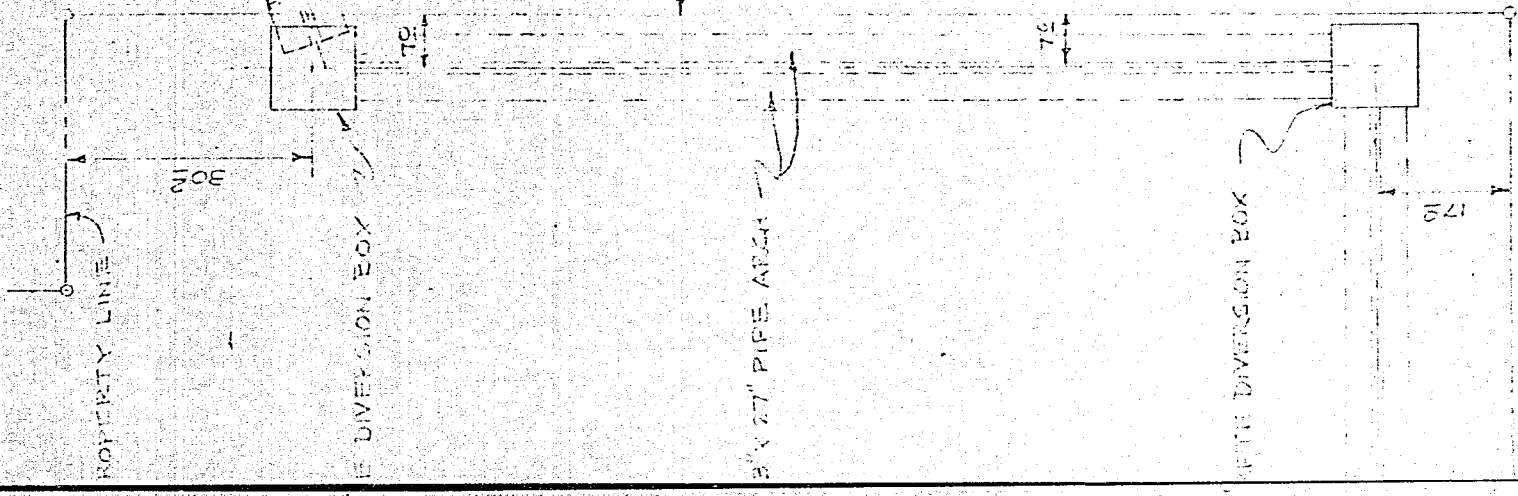
Exhibit "A"

MAP SHOWING LOCATION OF IRRIGATION
PIPE FOR ENTERPRISE IRRIGATION DIST.

SOUTH VALLEY STATE BANK PROPERTY
IN SW 1/4 NE 1/4 SEC. 2, T. 39 S., R. 9 E. W.M.,
KLAMATH COUNTY, OREGON

SCALE: 1" = 20'

Map Prepared by: William L. Wales
& Associates
Consulting Engineers
December, 1976 Klamath Falls, Oregon



SOUTH VALLEY STATE BANK

2 - 43" X 27" PIPE ARCH

CONCRETE BOX

PROPERTY LINE

SOUTH 6TH ST.

MILLER AVE.

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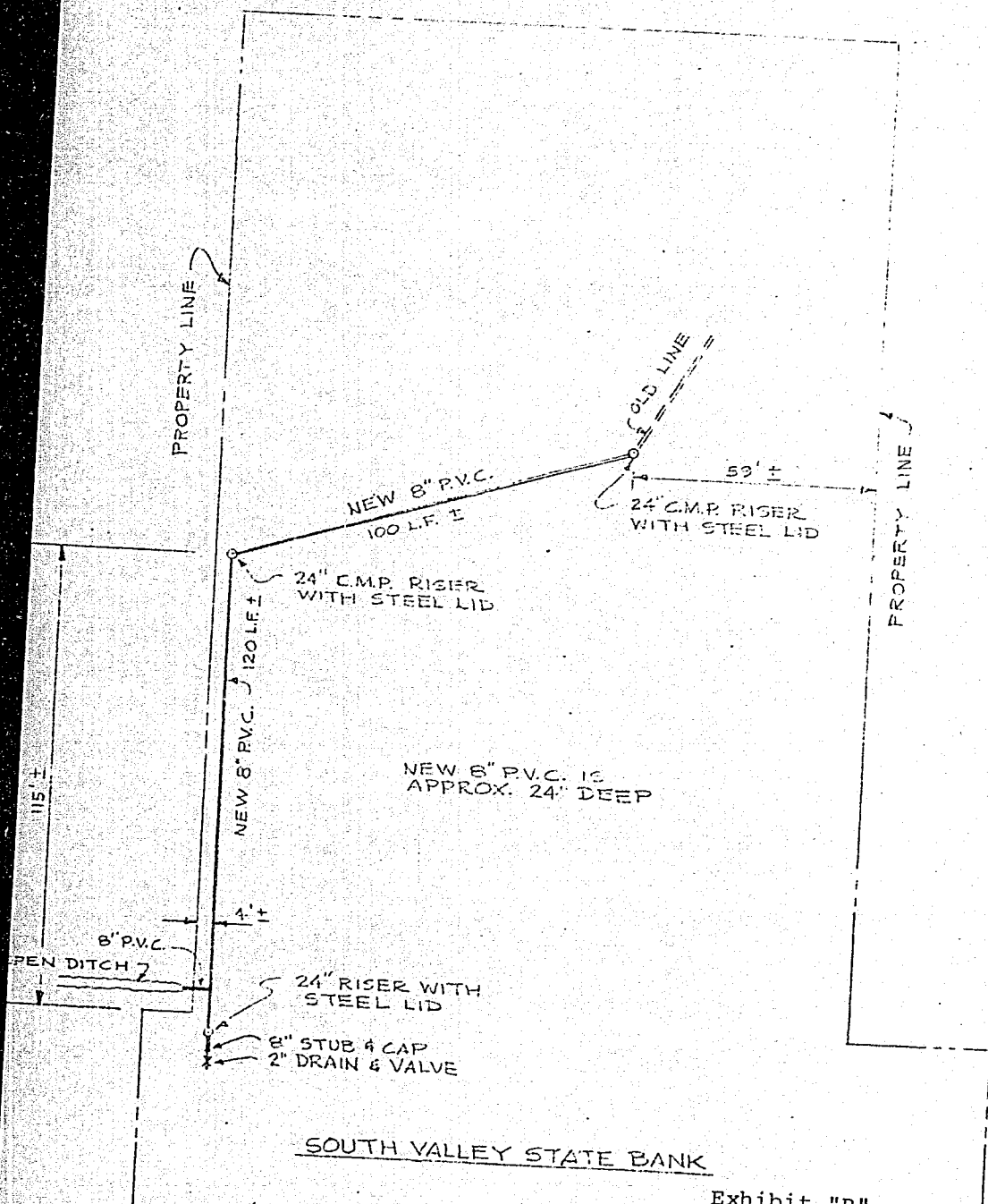


Exhibit "B"

MAP SHOWING LOCATION OF 8" P.V.C. PIPE
AT
SOUTH VALLEY STATE BANK
IN
SW 1/4 - NE 1/4 SEC. 2, T. 39 S., R. 2 E., WM.
KLAMATH COUNTY, OREGON
SCALE: 1" = 30'
Map Prepared by: WILLIAM L. WALES
& Associates
Consulting Engineers
Klamath Falls, Oregon

STATE OF OREGON; COUNTY OF KLAMATH; ss. March, 1977

I hereby certify that the within instrument was received and filed for record on the 20th day of
October A.D., 1978 at 9:23 o'clock A M., and duly recorded in Vol. M78
of Deeds on Page 23570.

FEE \$15.00

WM. D. MILNE, County Clerk

By Bernetha Hitchcock Deputy