

68413

Vol. MS Page 21200APPLICATION AND AGREEMENT FOR EXEMPTION
FROM PAYMENT OF ASSESSMENTSName: Herbert M. & Helen F. Smith
WHEREAS,Address 4235 FARGO STPhone: 8826468

hereinafter called Landowners, whether one or more, own the following described real property in Klamath County, Oregon, which is included in Klamath Irrigation District, to wit:

(Type in below the exact legal description of the land to be exempted as the same appears in Landowners' Deed or Title Insurance Policy or as prepared by a registered Oregon Land Surveyor or Engineer)

The North 30 Feet of Lot Twenty-Four (24) AND The South 30 Feet of Lot Twenty Five (25) of Tonatee Homes

which said Lands contain .12 acres, more or less, and are Klamath County Assessor's ^{Map & Tax Lot} Account No. 3909 11CC 05500 and Klamath Irrigation District's Account No. 3909-11CC-5500; and

WHEREAS, Landowners hereby request KLAMATH IRRIGATION DISTRICT, hereinafter called K.I.D., to consent and agree to the exemption of the above described lands from the payment of the assessments of said District pursuant to Oregon Laws 1985, Chapter 581, Section 4;

NOW THEREFORE, in consideration of the granting of such exemption by K.I.D., Landowners and Landowners' Heirs, Devisees, Personal Representatives, Grantees, Vendees, Successors and Assigns, jointly and severally represent, warrant, guarantee, covenant and agree with K.I.D. and its Successors and Assigns as follows:

(1) Landowners are the sole owners and holders of the fee simple title to the above described Lands and have good right to execute this Application and Agreement and to bind said Lands as herein agreed. If said Lands are subject to any trust, deed, mortgage, contract of sale or other lien upon the land, Landowners agree to furnish to K.I.D., a recordable agreement from the owners and holders of such instrument or lien to be subordinate to the terms of this Application and Agreement but the failure of Landowners to so secure such Agreement shall not

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subordinate such interest and liens to the terms and conditions of the Agreement and agree they shall be bound by the same.

STATE OF OREGON)
) SS
County of Klamath)

I, _____, being duly sworn say that I have read the foregoing Subordination Agreement and the Application and Agreement for Exemption; that I have authority to sign said Subordination Agreement on behalf of all Owners and Holders of the interests and liens being subordinated and to so subordinate the same to the terms and conditions of the foregoing Application and Subordination Agreement and I hereby acknowledge that I signed the foregoing Subordination Agreement freely and voluntarily for the purpose therein stated.

Subscribed and sworn to before me this ____ day of _____,
198 ____.

(SEAL)

Notary Public in and for said
State and County
My Commission Expires:

I hereby recommend approval of the foregoing Application and Agreement.


Manager, KLAMATH IRRIGATION DISTRICT

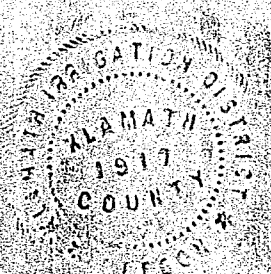
The foregoing Instrument having been read and considered by the Board of Directors of Klamath Irrigation District at a Meeting of said Board of Directors and said Board of Directors in consideration of all of the representations, warranties, covenants and agreements made by the Landowners therein duly moved, seconded and voted that Klamath

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Irrigation District approve and agree to the same and did Order that the above described Lands be exempted from the payment of the assessments of the District pursuant to Oregon Laws 1985, Chapter 581, Section 4 for assessment years commencing after the date of execution of this Agreement by Klamath Irrigation District set forth below.

Now, THEREFORE, Klamath Irrigation District does hereby duly execute this Agreement this 13th day of November, 1986.

KLAMATH IRRIGATION DISTRICT



By [Signature]
Its President

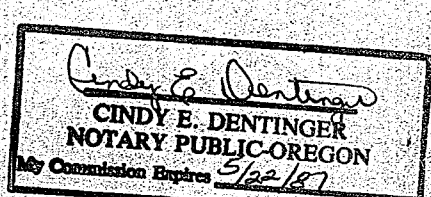
By [Signature]
Its Secretary

STATE OF OREGON)
) SS
County of Klamath)

On this 13th day of November, 1986, personally appeared Dick Owens and David A. Salem, who, being duly sworn did each say that Owens/Salem is the President and Secretary of Klamath Irrigation District and that the Seal affixed to this Instrument is the Official Seal of said Klamath Irrigation District and that said Instrument was signed on behalf of Klamath Irrigation District by authority of its Board of Directors and each of them acknowledged said Instrument to be the voluntary act and deed of Klamath Irrigation District.

BEFORE ME:

(SEAL)



[Signature]
Notary Public for Oregon
My Commission Expires: 5/22/87

After recording return to Klamath Irrigation District, 6640 K.I.D. Lane, Klamath Falls, OR 97603

EXEMPTION AGREEMENT - Page 6

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of November A.D. 19 86 at 9:32 o'clock A M., and duly recorded in Vol. M86
of _____ Deeds on Page 21200

FEE \$25.00

Evelyn Biehn, County Clerk
By [Signature]

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This Agreement shall take effect upon the approval of same by the Board of Directors of Klamath Irrigation District, and the adoption of the Resolution exempting said Land from the assessments of said District.

WITNESS their hands this 5th day of October, 1986.

Herbert M. Smith

Helene F. Smith
LANDOWNERS

STATE OF OREGON)
) SS
County of Klamath)

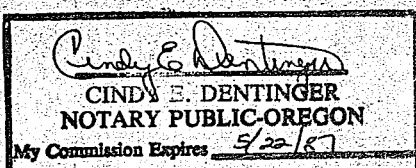
I, HERBERT M. SMITH and I, HELENE F. SMITH,
each being duly and severally sworn, each says for myself: I am one of the above named Landowners. I have read the foregoing Application and Agreement for Exemption from Payment of Assessments and each statement and representation made by me therein is true and correct and I hereby acknowledge the foregoing Instrument to be my voluntary act and deed.

Herbert M. Smith

Helene F. Smith

Subscribed and sworn to before me this 13th day of October, 1986.

(SEAL)



Cindy E. Dentinger
Notary Public in and for said
State and County
My Commission Expires: 5/22/87

SUBORDINATION AGREEMENT

The undersigned owner or holder of a trust deed, mortgage, contract of sale or other lien upon the lands described in the foregoing Application and agreement in consideration of the exemption of said lands from future assessments of Klamath Irrigation District do hereby