

76506

Vol. 1481 Page 11712

## GRANT OF EASEMENT

For value received, receipt of which is hereby acknowledged, INTERSTATE PRODUCTION CREDIT ASSOCIATION (Grantor), hereby grants, transfers, and conveys to 5 H RANCH, INC., (Grantees), a perpetual nonexclusive easement as follows:

A strip of land sixty (60) feet wide, parallel and adjacent with the West line of Section 32 in Township 38 South, Range 11½ East of the Willamette Meridian, in Klamath County, Oregon, extending from the South right of way line of the Klamath Falls/Lakeview Highway, Southerly to a point 173.01 feet North of the South line of said Section 32, which point is on the centerline of the East/West ditch and the terminus of the easement.

1. This easement is not personal or in gross but is to be appurtenant to each and every portion of the following described property owned by Grantees:

A parcel of land located in portions of Sections 32 and 33, Township 38 South, Range 11½ East of the Willamette Meridian and in Sections 5, 6, and 8, Township 39 South, Range 11½ East of the Willamette Meridian, being more particularly described as follows:

Those portions of Section 32, Township 38 South, Range 11½ East, and Section 5, Township 39 South, Range 11½ East of the Willamette Meridian lying South of the following described line: Beginning at a point on the East line of said Section 32 from which point the Southeast corner of said Section 32 bears South 0° 38' 57" West 551.64 feet distant; thence along an existing fence line, South 79° 47' 33" West 451.44 feet; thence South 69° 53' 43" West 797.73 feet; thence South 40° 15' 25" West 236.92 feet; thence South 5° 08' 47" West 253.49 feet to a point in an existing fence line; thence along said fence line, South 22° 34' 24" West 384.64 feet; thence South 51° 14' 35" West 528.50 feet; thence South 74° 03' 10" West 284.95 feet; thence North 76° 10' 34" West 256.59 feet; thence North 52° 15' 26" West 201.63 feet; thence North 84° 32' 50" West 574.37 feet; thence leaving said fence line, North 50° 17' 38" West 319.51 feet; thence North 77° 13' 10" West 222.13 feet; thence South 87° 22' 56" West 173.85 feet to a point in a North-South fence line; thence along said North-South fence line, North 0° 16' 05" East 711.54 feet to the center of an East-West ditch; thence along the centerline of said ditch and the Westerly extension thereof, North 89° 34' 20" West 1472.26 feet to a point on the West line of Section 32; from which point the Southwest corner of Section 32 bears South 0° 30' 08" West 173.01 feet distant; excepting therefrom Government Lot 1 in Section 5.

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Churchill, Leonard, Brown & Donaldson  
PO Box 804  
Salem, Oregon 97308  
(503) 585-2255

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In Section 33, Township 38 South, Range 11½ East of the Willamette Meridian, all of those portions; of the SW¼NE¼, S¼NW¼, SW¼ and W¼ of SE¼; lying south of State Highway 140; excepting therefrom that portion lying within the right of way of the O.C. & E. Railroad.

In Section 6, Township 39 South, Range 11½ East of the Willamette Meridian, all of Section 6 lying South of the following described line: Beginning at a point on the West line of Section 6 from which point the Northwest corner of Section 6 bears Northerly 161.9 feet; thence South 57° 25' East 651.0 feet; thence South 75° 31' East 1031.2 feet; thence South 60° 10' East 967.6 feet; thence South 29° 38' East 278.9 feet; thence South 86° 05' East 569.7 feet; thence North 85° 39½' East 606.2 feet; thence North 29° 10' East 1029.0 feet; thence North 46° 44½' East 295.3 feet; thence East 30.3 feet to the East line of Section 6; from which point the Southeast corner of Government Lot 1, Section 6 bears South 0° 09½' West 866.9 feet; excepting therefrom Government Lots 6 and 7 of said Section 6, the bearings and distances of the above described line being based on descriptions contained in Deed Volume M80, pages 15699 and 15700.

In Section 8, Township 39 South, Range 11½ East of the Willamette Meridian, all of the N¼NE¼ and the NE¼NW¼.

2. This easement is granted over and across property owned by Grantor in Klamath County, Oregon, described as follows:

PARCEL 1

A parcel of land located in portions of Sections 31 and 32, Township 38 South, Range 11½ East of the Willamette Meridian and Section 5, Township 39 South, Range 11½ East of the Willamette Meridian, being more particularly described as follows:

Beginning at a point on the West line of Section 32, Township 38 South, Range 11½ East of the Willamette Meridian from which point the Southwest corner of said Section 32 bears South 0° 30' 08" West 173.01 feet distant; thence North 0° 30' 08" East 1130.97 feet to the South 1/16 corner common to Sections 31 and 32; thence North 89° 23' 45" West 1324.66 feet to the SE 1/16 corner of Section 31; thence along the 1/16 Section line North 0° 31' 29" East 1821.16 feet to the Southerly right of way line of the O.C. & E. Railroad; thence along said right of way line South 89° 51' 30" East 1323.97 feet to its intersection with the West line of Section 32; thence North 0° 30' 08" East 100.00 feet to the Northerly right of way line of the O.C. & E., Railroad; thence along said right of way line South 89° 51' 30" East 238.48 feet; thence, leaving said right of way line, North 0° 58' 27" West 663.55 feet to a point on

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the Southerly right of way line of State Highway 140; thence along said right of way line North 87° 48' 03" East 74.28 feet; thence 233.07 feet along the arc of a 5699.58 foot radius curve to the right, the long chord of which bears North 88° 58' 20" East 233.04 feet; thence South 89° 51' 22" East 793.02 feet; thence North 89° 57' 40" East 3972.46 feet to a point on the East line of Section 32; thence, leaving said highway right of way line, South 0° 38' 57" West along the East line of Section 32 3388.87 feet to a point; thence, along an existing fence line, South 79° 47' 33" West 451.44 feet; thence South 69° 53' 43" West 797.73 feet; thence South 40° 15' 25" West 236.92 feet; thence South 5° 08' 47" West 253.49 feet to a point in an existing fence line; thence, along said fence line South 22° 34' 24" West 384.64 feet; thence South 51° 14' 35" West 528.50 feet; thence South 74° 03' 10" West 284.95 feet; thence North 76° 10' 34" West 256.59 feet; thence North 52° 15' 26" West 201.63 feet; thence North 84° 32' 50" West 574.37 feet; thence, leaving said fence line, North 50° 17' 38" West 319.51 feet; thence, North 77° 13' 10" West 222.13 feet; thence South 87° 22' 56" West 173.85 feet to a point in a North-South fence line; thence along the center of an East-West ditch; thence along the centerline of said ditch and the Westerly extension thereof, North 89° 34' 20" West 1472.26 feet to the point of beginning; excepting therefrom that portion lying within the right of way of the O.C. & E. Railroad.

PARCEL 2

A parcel of land located in Section 32, Township 38 South, Range 11½ East of the Willamette Meridian, being more particularly described as follows:

Beginning at a point on the West line of Section 32, Township 38 South, Range 11½ East of the Willamette Meridian at its intersection with the Northerly right of way line of the O.C. & E. Railroad, from which point the ¼ corner common to Sections 31 and 32 bears South 0° 30' 08" West 627.87 feet distant; thence along the Section line North 0° 30' 08" East 654.38 feet to a point on the Southerly right of way line of State Highway 140; thence along said right of way line North 87° 48' 03" East 221.63 feet; thence leaving said right of way line; South 0° 58' 27" East 663.55 feet to a point on the Northerly right of way line of the O.C. & E. Railroad; thence along said right of way line North 89° 51' 30" West 238.48 feet to the point of beginning.

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3. This grant is made upon the following terms:

3.1 Grantees are granted the right to use the sixty (60) foot easement strip, including the existing roadway, as a means of ingress and egress to and from the land described in paragraph 1, or any portion thereof only for uses permitted under the zoning laws in effect on the date this easement is granted. Grantees are further granted the right to use the described strip for the installation and maintenance of such public utilities as may be needed to serve the property described in paragraph 1, or any portions thereof.

3.2 Grantees shall at all times hereafter maintain the easement property and roadway in a condition as good as its present condition. The cost of such maintenance and repairs shall be paid by Grantees. Grantor shall pay the real property taxes on the easement strip.

3.3 Grantor shall, at all times and without restriction, have the right to use the easement property and roadway for purposes not inconsistent with Grantee's full enjoyment of the rights herein granted.

3.4 This grant of easement shall run with the land and shall be binding on and shall inure to the benefit of Grantor and Grantees, their heirs, successors or assigns.

IN WITNESS WHEREOF, we have executed this Grant of Easement and Maintenance Agreement on this 29th day of May, 1987.

INTERSTATE PRODUCTION  
CREDIT ASSOCIATION

By

GRANTOR

STATE OF OREGON )

County of Muskegon ) ss.

The foregoing instrument was acknowledged before me this 29th day of May, 1987, by John Rinnie, Agent of Interstate Production Credit Association, a corporation, on behalf of the corporation.

Leslie A. Lurie  
Notary Public for Oregon  
My commission expires:

My Commission Expires June 21, 1990

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PO Box 804  
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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of  
of July

A.D. 19 87 at

Deeds

at 11:19 o'clock

A

M., and duly recorded in Vol. M87

on Page 11712

Evelyn Biehn, County Clerk

By

FEE \$17.00