

EASEMENTDATED: August 25, 1997.

PARTIES: PETER ALAN NEVIN and MALINDA B. NEVIN (NEVINS) as owners of Parcel A described in Exhibit A attached hereto and incorporated hereby by this reference; and NEVIN CATTLE COMPANY (NCC) as owner of Parcel B described in Exhibit B attached hereto and incorporated hereby by this reference.

RECITALS:

A. NCC currently uses an existing road which runs northwesterly from Mitchell Road across the middle of Parcel A to Parcel B.

B. The parties to this agreement intend to create a permanent, nonexclusive easement and right of way for use of said existing road. This easement is to be a private road and shall be appurtenant to and shall benefit Parcel B. The parties therefore agree as follows:

AGREEMENTS:1. GRANT OF EASEMENTS:

1.1 Nevins hereby grant and convey to NCC a permanent, nonexclusive right of way over, across, and along the existing roadway which runs from Mitchell Road northwesterly across the middle of Parcel A to Parcel B. Such easement shall be appurtenant to each and every part of Parcel B.

1.2 Such easement may be used for vehicular and pedestrian ingress and egress purposes by NCC, its heirs, successors, and assigns.

2. SCOPE AND DEVELOPMENT OF EASEMENT:

The roadway shall be maintained where now existing without any expansion thereof.

3. INDEMNIFICATION:

NCC shall indemnify and defend the NEVINS from any loss, claim, or liability to the NEVINS arising in any manner out of NCC's use of the road easement.

IN WITNESS WHEREOF, the parties hereto have signed this agreement on the date first set forth above.

NEVINS:

Peter Alan Nevin  
PETER ALAN NEVIN

Malinda B. Nevin  
MALINDA B. NEVIN

NEVIN CATTLE CO., a Corporation

By: Kurt E. Nevin - Pres

STATE OF OREGON           )  
                                  ) ss.  
County of Klamath        )

August 25, 1987

Personally appeared the above named PETER ALAN NEVIN and MALINDA B. NEVIN and acknowledged the foregoing document to be their voluntary act and deed.

15297

Before me:

Rbt. G. Hatten  
Notary Public for Oregon  
My Commission Expires: 3-9-88

STATE OF Oregon )  
County of Klamath ) ss.

The foregoing instrument was acknowledged before me this  
25 day of August, 1987, by Victor E. Nevin, president  
of NEVIN CATTLE CO., a corporation, on behalf of the  
corporation.

Rbt. G. Hatten  
Notary Public for  
My Commission Expires: 3-9-88

EXHIBIT AParcel One:

A tract of land situated in Section 24, Township 38 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the Southeast corner of the SW $\frac{1}{4}$  of Section 24; thence S. 89°50'59" W., on the South line of said SW $\frac{1}{4}$ , 667.27 feet; thence N. 32°43'15" W. 553.75 feet; thence N. 39°20'31" W., 673.59 feet; thence N. 40°51'11" W., 509.84 feet; thence N. 38°27'05" W., 611.58 feet; thence N. 50°32'06" E., 745.27 feet; thence N. 49°57'56" E., 945.70 feet; thence S. 35°15'13" E., 278.40 feet; thence N. 60°16'08" E. 1263.30 feet; thence East, 2195.50 feet to a point on the East line of the NE $\frac{1}{4}$  of said Section 24; thence S. 00°28'06" W. on said East Line 705.98 feet to the Southeast corner of said NE $\frac{1}{4}$ ; thence S. 00°05'59" E. on the East Line of the SE $\frac{1}{4}$  of said Section 24, 2631.63 feet to the Southeast corner of said SE $\frac{1}{4}$ ; thence N. 89°51'15" W. on the South Line of said SE $\frac{1}{4}$ , 2644.02 feet to the point of beginning containing 293.70 acres.

Parcel Two:

Township 38 South, Range 11 $\frac{1}{2}$  East of the Willamette Meridian

Section 30: That portion of Lot 3 and the NE $\frac{1}{4}$ SW $\frac{1}{4}$  lying Northerly and Easterly of Mitchell Road, SAVING AND EXCEPTING the following parcel:

Beginning at the Southeast corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence North along the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$  a distance of 450.0 feet to a point; thence West a distance of 780.0 feet to a point; thence S. 41°00' E. a distance of 235.0 feet, more or less, to a point on the Northerly right of way line of Mitchell Road; thence continuing Southeasterly along the North-easterly line of Mitchell Road to its intersection with the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence East along said South line to the point of beginning.

Exhibit B

15299

The premises are in Klamath County, and are described as follows:  
Township 37 South, Range 10 East of the Willamette Meridian:

Section 33: E $\frac{1}{2}$ , SW $\frac{1}{2}$   
Section 34: NW $\frac{1}{2}$ NE $\frac{1}{2}$ , S $\frac{1}{2}$ NE $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{2}$

Township 38 South, Range 11 $\frac{1}{2}$  East of the Willamette Meridian:

Section 18: S $\frac{1}{2}$   
Section 19: Lots 1, 2, 3, and 4, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , SE $\frac{1}{2}$ SW $\frac{1}{2}$   
Section 30: Lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{2}$ , that portion of SW $\frac{1}{2}$ SE $\frac{1}{2}$  lying Northerly of Mitchell Road.  
Section 31: NE $\frac{1}{2}$ NW $\frac{1}{2}$ , Lot 1 and that portion of the NW $\frac{1}{2}$ NE $\frac{1}{2}$  lying Northerly of Mitchell Road; and also that portion of SE $\frac{1}{2}$ NW $\frac{1}{2}$  lying North of Klamath Falls-Lakeview Highway.

Township 38 South, Range 10 East of the Willamette Meridian:

Section 3: Lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{2}$ , S $\frac{1}{2}$   
Section 4: Lots 1, 2, 3 and 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , NE $\frac{1}{2}$ SW $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{2}$  Saving and Excepting therefrom a strip of land 30 feet in width running parallel along the Southerly boundary of N $\frac{1}{2}$ SE $\frac{1}{2}$  and NE $\frac{1}{2}$ SW $\frac{1}{2}$ .  
Section 10: N $\frac{1}{2}$   
Section 11: N $\frac{1}{2}$  and SE $\frac{1}{2}$   
Section 12: All  
Section 13: All  
Section 14: E $\frac{1}{2}$   
Section 23: NE $\frac{1}{2}$  and SE $\frac{1}{2}$  which lies Northerly and Easterly of the Swan Lake Road, Saving and Excepting therefrom that portion deeded to Thomas W. Lassett and Penny L. Lassett, husband and wife, dated October 23, 1978, recorded October 23, 1978, in Volume M78 page 23751, Deed records of Klamath County, Oregon.  
Section 24: N $\frac{1}{2}$ SW $\frac{1}{2}$ , SE $\frac{1}{2}$ SW $\frac{1}{2}$ , N $\frac{1}{2}$ , SE $\frac{1}{2}$ .

Section 25: NW $\frac{1}{2}$  Saving and Excepting that portion deeded to Thomas W. Lassett and Penny L. Lassett, husband and wife, dated October 23, 1978, recorded October 23, 1978, in Volume M78 page 23751, Deed records of Klamath County, Oregon; and that portion of W $\frac{1}{2}$ SW $\frac{1}{2}$  and NE $\frac{1}{2}$ SW $\frac{1}{2}$  lying Northerly of the Lakeview Highway.

Section 26: All that portion of the NE $\frac{1}{2}$  which lies Northerly and Easterly of Swan Lake Road, saving and excepting therefrom that portion deeded to Thomas W. Lassett and Penny L. Lassett, husband and wife, dated October 23, 1978, recorded October 23, 1978, in Volume M78 page 23751, Deed records of Klamath County, Oregon: S $\frac{1}{2}$ SE $\frac{1}{2}$

Ret: Peter Nevin  
Star Route,  
Wainy, Ore.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_  
of August \_\_\_\_\_ A.D. 19 87 at 11:35 o'clock A M., and duly recorded in Vol. M87  
of \_\_\_\_\_ Deeds on Page 15295

FEE \$21.00

Evelyn Biehn,  
By \_\_\_\_\_ County Clerk