

AFTER RECORDING RETURN TO:  
Boivin & Uerling, P.C.  
110 No. 6th  
Klamath Falls OR 97601

Vol. 788 Page 8040

LEASE OF HAY SHED

87582

This agreement is made this 24 day of May, 1988 between Gary Griffith and Karen Griffith, their heirs, executors and assigns, hereinafter referred to as Lessors, and Marjorie Divine and Victor R. Divine, their heirs, executors and assigns, hereinafter referred to as Lessees.

RECITALS

Lessor is the owner of certain real property as described on Exhibit "A" upon which is constructed a hay shed storage building approximately 80 feet by 79 feet built in 1986. The property was inherited by the Lessor as part of a Family Settlement Agreement dated April 21, 1988 in the Estate of Russell Griffith. Lessee desires to non-exclusively lease said hay shed. In consideration of the mutual covenants contained herein and in further consideration of the mutual covenants and promises as set forth in the Family Settlement Agreement dated April 21, 1988 wherein Lessee and Lessor are parties, the parties agree as follows:

Subject Of Lease

Lessors hereby lease to Lessees the non-exclusive use of the hay shed building located on the real property of the Lessor as described on the Exhibit "A" attached hereto and incorporated by this reference. Hay shed is described as having the dimensions of 80 feet by 79 feet, built in 1986, and located approximately 200 feet southwest of the corner marker on Lessor's property described as "the railroad spike in a sandstone."

Term of the Lease

The Lessee shall have the non-exclusive right to use the hay shed building for a period of 30 years from the date of this lease. Lessor shall continue to have the right to use said hay shed as well as the parties' brother David Griffith. This lease shall enure to the benefit of the Lessees heirs, executors and assigns.

Consideration

The consideration for this lease is those mutual promises and agreements as contained within the Family Settlement Agreement in the Estate of Russell Griffith. Said agreement dated April 21, 1988 wherein the parties divided the real property contained in the Russell Griffith Estate to which they were heirs.

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Taxes, Repairs and Utilities

The Lessees shall share on a prorata basis with the Lessors the property taxes, repairs, and any utility charges upon the property during the term of this lease.

Sub-Leases

Lessees may not sub-let and assign this lease without the prior written approval of the Lessors.

Marjorie Divine  
MARJORIE DIVINE

Victor R. Divine  
VICTOR R. DIVINE

Gary Griffith  
GARY GRIFFITH

Karen Griffith  
KAREN GRIFFITH

STATE OF OREGON     )  
County of Klamath    ) ss.

Personally appeared the above named Marjorie Divine, Victor R. Divine Gary Griffith and Karen Griffith and acknowledged the foregoing instrument to be their voluntary act and deed.

Dated May 24, 1988.

[Signature]  
NOTARY PUBLIC FOR OREGON  
My Commission Expires 8-26-91

A tract of land situated in Government Lots 3, 4, 7 and 8 and the N1/2 S1/2 of Section 17, Township 39 South, Range 9 E.W.M., Klamath County, Oregon, more particularly described as follows:

Beginning at a monument (all monuments are 5/8 inch iron pins with Tru-Line Surveying plastic cap, unless otherwise noted) on the Northwesterly right-of-way line of the Southern Pacific Railroad, from which the corner common to Sections 8, 9, 16 and 17 bears N. 28° 47' 57" E. 3642.74 feet and also being the point of beginning of that Road Easement described in Volume M88 page 2525 Klamath County Deed records; thence N. 54° 46' 27" W., along said road easement 877.30 feet to a monument marking the end of said easement; thence N. 35° 13' 33" E. 30.00 feet to a monument; thence N. 26° 07' 00" W. 201.55 feet to a railroad spike driven into sandstone; thence N. 02° 51' 48" W. 323.68 feet to a "U" bolt on the West side of a willow tree; thence N. 02° 18' 49" W. 1119.07 feet to a railroad spike driven into the root on the West side of a willow tree; thence continuing N. 02° 18' 49" W. 25 feet, more or less, to the Mean High Water Line of Klamath River; thence Southwesterly, along said water line, to the Northwest corner of said Lot 8; thence Southerly to the SW 1/16 corner; thence Southeasterly, towards the South 1/4 corner, to a point on the Northwesterly right-of-way line of the Southern Pacific Railroad; thence along said right-of-way line to a point which bears S. 34° 35' 38" W. 300.00 feet from the point of beginning; thence N. 54° 46' 27" W. 198.00 feet; thence N. 34° 35' 38" E. 270.00 feet; thence S. 54° 46' 27" E. 198.00 feet to a point on said railroad right-of-way line; thence N. 34° 35' 38" E. 30.00 feet to the point of beginning, containing 108 acres, more or less, and with bearings based on a solar observation.

Subject to an Easement, including the terms and provisions thereof, recorded February 23, 1988 in volume M88 page 2525, Deed records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Boivin & Uerlings, P.C. the 24th day of May A.D. 1988 at 2:18 o'clock p M. and duly recorded in Vol. M88 of Deeds on Page 8040

Evelyn Blehn County Clerk

By Bernetha A. Ketsch

FEE \$15.00