

EASEMENT

WHEREAS, HELEN CAHILL, herein called "grantor", is the owner of the following-described parcels, situated in Klamath County, Oregon, to-wit:

Parcel 1: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and all that portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying southerly and westerly of the right of way of the Lost River Diversion Channel, all in Section 24, Township 40 S., R. 13 E.W.M., containing 237.4 acres, more or less.

Parcel 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 40 S., R. 13 E.W.M., except that portion thereof heretofore conveyed to Klamath County for roadway, containing 99.1 acres, more or less,

and

WHEREAS, said parcels were at one time part of a larger parcel which extended to the Langell Valley Irrigation District West Side Canal, and

WHEREAS, said larger parcel was divided upon an involuntary disposition, and

WHEREAS, LANGELL VALLEY IRRIGATION DISTRICT, a municipal corporation in Klamath County, Oregon, herein called "district", does not have an irrigation ditch adjacent to and able to serve directly the above-described real property belonging to grantor.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements hereinafter contained, it is agreed as follows:

(1) Grantor hereby conveys, assigns and transfers to district all of her right, title and interest in and to the following-described easements, all situated in Section 23, Township 40 S., R. 13 E.W.M., Klamath County, Oregon, to-wit:

- (a) An easement 30 feet wide extending East from district's West Side Irrigation Canal along the southerly side of the East-West center line of Section 23, Township 40 S., R. 13 E.W.M., to the West boundary of Section 24, Township 40 S., R. 13 E.W.M.
- (b) An easement 30 feet wide, the center line of which extends East from district's West Side Irrigation Canal along a line located 660 feet South of and parallel to the East-West center line of Section 23, Township 40 S., R. 13 E.W.M., to the West boundary of Section 24, Township 40 S., R. 13 E.W.M.
- (c) An easement 30 feet wide extending East from district's West Side Irrigation Canal along the North side of the South section line of Section 23, Township 40 S., R. 13 E.W.M., to the West boundary of Section 24, Township 40 S., R. 13 E.W.M.

TOGETHER WITH the right of ingress and egress for the purposes hereinafter mentioned.

(2) In consideration therefor district agrees to give grantor a \$500.00 credit against the 1988-89 assessment for irrigation water to be used on grantor's property hereinabove described.

(3) District will assume control of and will maintain the existing ditches upon said easements for irrigating the above-described property of grantor and other properties served by district lying below the district's West Side Canal.

IN WITNESS WHEREOF, the parties hereto have caused this easement to be executed this 4th day of October, 1988.

Helen Cahill
Helen Cahill

LANGELL VALLEY IRRIGATION DISTRICT

By Carl D. Gibson President

By James C. Liston

STATE OF Oregon

County of Klamath

ss. October 4th, 1988

Personally appeared the above-named HELEN CAHILL and acknowledged the foregoing Easement to be her voluntary act and deed.

Before me:

Leona M. Huffman
NOTARY PUBLIC - OREGON
My commission expires 10/21/90

STATE OF OREGON

County of KLAMATH

ss. October 4th, 1988

Personally appeared Carl D. Gibson and James C. Liston who, being first duly sworn, did say that they are the President and Board member, respectively, of LANGELL VALLEY IRRIGATION DISTRICT, a municipal corporation, and that the foregoing Easement was signed in behalf of said Langell Valley Irrigation District by authority of its board of directors; and they acknowledged said instrument to be its voluntary act and deed.

Before me:

Leona M. Huffman
NOTARY PUBLIC - OREGON
My commission expires 10/21/90

After recording, return to:
H. F. Smith, Attorney at Law
540 Main Street
Klamath Falls, Oregon 97601

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of H. F. Smith, Attorney the 14th day of November A.D., 19 88 at 4:43 o'clock P M., and duly recorded in Vol. M88 of Deeds on Page 19238.

FEE \$13.00

Evelyn Biehn, County Clerk

By Arline Mullendare