

MTC-21040.D

DEED GRANTING EASEMENT

KNOW ALL MEN BY THESE PRESENTS that SHIELD CREST, INC., an Oregon corporation, hereinafter called "Grantor", for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto PHYLLIS COLLIER KERNS, ANDREW JAMES RAGLAND and KATHLEEN MARY INNES, as Tenants in Common, hereinafter called "Grantee", and unto Grantee's heirs, successors and assigns, an easement and right of way for irrigation, hereinafter more particularly designated and described over and across the real property described in Exhibit "A".

The easement and right of way hereby conveyed is for the sole purpose of locating, establishing, constructing and maintaining a pump and subsurface mainline for irrigation of the real property owned by Grantee and described in Exhibit "B".

The route and course of the irrigation line shall be as close as practicable to ten feet north of the southerly boundary of Exhibit "A", from the existing canal to the property of Grantees.

Grantor also grants and conveys to Grantee ten feet on each side of the center line of such irrigation mainline for the constuction and maintenance thereof. Grantor releases Grantee from any and all claims for damages arising in any way or incident to the construction or maintenance of the pump and mainline across the described land.

And Grantor hereby covenants to and with the said Grantee and Grantee's heirs, successors and assigns that said real property is free from encumbrances created or suffered thereon by Grantor and that Grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through or under the Grantor.

The true and actual consideration paid for this easement, stated in terms of dollars is zero. However, the actual consideration consists of other property or value given or promised which is the whole consideration.

IN WITNESS WHEREOF, the Grantor has caused its name to be signed by its officers duly authorized thereto by order of its board of directors on this 1 day of March, 1989.

SHIELD CREST, INC.

By Robert E. Cheyne
President

By Debra J. C. Lays
Secretary

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER

'89 MAR 22 AM 11 53

SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT
TO VERIFY APPROVED USES.

DATED: March 1, 1989

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared ROBERT E. CHEYNE and HELEN J. CHEYNE who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

Darlene J. Tucker
Notary Public for Oregon
My commission expires: 6/16/92

Kerns
2324 SW Sixth
Portland, OR 97201



DESCRIPTION FOR SHIELD CREST, INC.

A parcel of land located in the west one-half of the east one-half of Section 8, T. 39S., R. 10E., W.M., Klamath County, Oregon, being more particularly described as follows:

Beginning at the one-quarter corner common to Sections 5 and 8, T. 39S., R. 10E., W.M.; thence, along the north line of said Section 8, N 89° 45'14" E 953.75 feet to the northeast corner of a parcel of land described in Deed Volume M84 Page 3240, Klamath County Deed Records; thence, along the boundaries of said parcel, S 00° 13'00" E 185.00 feet; thence N 89° 45'14" E 348.05 feet; thence S 00° 13'00" E 372.07 feet; thence East 30.00 feet to a point on east line of the NW 1/4 NE 1/4 of Section 8; thence along said east line S 00° 13'00" E 504.96 feet to the northeast corner of a parcel of land described in Deed Volume M87 Page 15532, Klamath County Deed Records; thence, along the boundaries of said parcel, S 88° 00'16" W 220.52 feet; thence N 85° 19'47" W 286.02 feet; thence S 8° 45'58" W 551.68 feet to the southwest corner of said parcel; thence S 8° 48'39" W 1935.93 feet to the northeasterly corner of a parcel of land described in Deed Volume 203 Page 199, Klamath County Deed Records; thence N 65° 45'28" W 199.82 feet to the northwesterly corner of said parcel and the northeasterly corner of a parcel of land described in Deed Volume M83 Page 13511, Klamath County Deed Records; thence along the northerly boundary of said parcel N 80° 36'19" W 274.21 feet to a point on the west line of the east one-half of Section 8; thence along said east line N 00° 03'03" E 3372.34 feet to the point of beginning; containing 65.71 acres, more or less.

2/10/89



Shield Crest
Parcel to be Retained

A parcel of land located in the west one-half of the east one-half of Section 8, T.39S., R.10E., W.M., Klamath County, Oregon being more particularly described as follows:

Commencing at the one-quarter corner common to Sections 5 and 8, T.39S., R.10E., W.M.; thence North 89° 45'14" East 1331.80 feet to the East 1/16 corner common to Sections 5 and 8; thence South 00° 13'00" East 1693.61 feet along the east line of the west one-half of the east one-half of Section 8 to the True Point of Beginning for this parcel description, said point being the southwest corner of a parcel of land described in Deed Volume M87 Page 15532, Klamath County Deed Records; thence South 00° 13'00" East 605.82 feet to the northeast corner of a parcel of land described in Deed Volume M82 Page 11430; thence, along the boundaries of said parcel, South 89° 47'00" West 240.00 feet; South 00° 13'00" East 340.00 feet; and North 89° 47'00" East 210.00 feet to a point on the westerly right-of-way line of Pine Grove Road; thence, along said right-of-way line, South 00° 52'02" West 198.68 feet to the northerly line of a parcel described in Deed Volume M86 Page 21331, Klamath County Deed Records; thence North 89° 07'58" West 184.48 feet to the northwest corner of said parcel; thence South 4°21'32" West 529.30 to the southwest corner of a parcel described in Deed Volume M83 page 14271, Klamath County Deed Records; thence South 1° 24'02" West 400.00 feet to the northwest corner of a parcel of land described in Deed Volume M77 Page 2497, Klamath County Deed Records; thence, along the westerly line of said parcel South 00° 18'03" West 303.69 feet, more or less, to the northerly right-of-way line of the Klamath Falls-Lakeview Highway 140; thence following said right-of-way line 739.77 feet along the arc of a 11,489.16 foot radius curve left, the long chord of which bears North 62° 52'49" West 739.63 feet to the southeast corner of a parcel of land described in Deed Volume 203 Page 199, Klamath County Deed Records; thence North 8° 56'32" East 227.46 feet to the northeast corner of said parcel; thence North 8° 48'39" East 1935.93 feet to the Southwest corner of that parcel described in Deed Volume M87 Page 15532; thence, along the southerly boundary of said parcel, South 80° 14'22" East 600.61 feet to the True Point of Beginning; containing 32.01 acres, more or less.

EXHIBIT "B"

Job# 1248-02
2/23/89

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 22nd day
of March A.D., 19 89 at 11:53 o'clock A.M., and duly recorded in Vol. M89
of Deeds on Page 4828

Evelyn Biehn, County Clerk

FEE \$23.00

By Dorlene Mulendore