

AGREEMENT AND CONVEYANCE TO  
ESTABLISH BOUNDARY LINES

THIS AGREEMENT, made and entered into this 26<sup>th</sup> day of October, 1990, between Harold E. Beaubien and Laura M. Beaubien, husband and wife, hereinafter referred to as First Parties, and The Wilbur C. and Carolyn I. Harnsberger Trust, hereinafter referred to as Second Parties,

WHEREAS, First Parties are owners of that property described as follows:

Township 40 South, Range 9 East of the Willamette Meridian:

Section 9: NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; and all that portion of the S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$  and of the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$  lying East of the C-4-H Lateral of the United States Reclamation Service.

Section 10: W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$  and W $\frac{1}{2}$ NW $\frac{1}{4}$

EXCEPTING THEREFROM: Beginning at the Southeast corner of the SW $\frac{1}{4}$  of said Section 10; thence West 1320 feet; thence North 570 feet; thence North 58°30' East 480 feet; thence East 260 feet; thence North 76°30' East 660 feet; thence South 980 feet to the point of beginning;

AND FURTHER EXCEPTING that portion of the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 10, Township 40 South, Range 9 East of the Willamette Meridian lying North of the South line of the Wilbur C. Harnsberger, Jr., tract described in Volume M72 page 1423, and lying Easterly of the existing drain #20 running in a Northerly direction.

ALSO EXCEPTING therefrom all of that portion of SW $\frac{1}{4}$ NW $\frac{1}{4}$  lying Westerly of the C-4-H Lateral of the United States Reclamation Service.

AND FURTHER EXCEPTING A tract of land situated in the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 10, Township 40 South, Range 9 East of the Willamette Meridian, more particularly described as follows: Beginning at a  $\frac{1}{2}$  inch iron pin at the intersection of the south right of way line of Cross Road and the easterly right of way line of the U.S.B.R. No. 20 Drain, from which the northwest corner of said Section 10 bears North 14°25' West 30.95 feet and South 89°50'30" West 474.41 feet; thence North 89°50'30" East along said south right of way line 559.13 feet to a  $\frac{1}{2}$  inch iron pin; thence South 2°11'22" East 362.03 feet to a  $\frac{1}{2}$  inch iron pin; thence South 83°15'15" West 342.80 feet to a  $\frac{1}{2}$  inch iron pin; thence South 88°8'10" West 92.26 feet to a  $\frac{1}{2}$  inch iron pin on the easterly right of way line of said U.S.B.R. No. 20 Drain; thence along said easterly right of way line North 26°56' West 162.46 feet to a  $\frac{1}{2}$  inch iron pin, and North 14°25' West 268.03 feet to the point of beginning, with bearings based on the survey of Parcel 1 of Minor Land Partition No. 79-135, as recorded in the office of the Klamath County Surveyor, Klamath County, Oregon.

AND FURTHER EXCEPTING that portion deeded to Klamath Irrigation District in Volume 69 page 366, Deed Records of Klamath County, Oregon.

and hereinafter referred to as the "Beaubien" property; and

WHEREAS, Second Parties are owners of that property described as follows:

A tract of land situated in the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 10, Township 40 South, Range 9 East of the Willamette Meridian, more particularly described as follows: Beginning at a  $\frac{1}{2}$  inch iron pin at the intersection of the south right of way line of Cross Road and the easterly right of way line of the U.S.B.R. No. 20 Drain, from which the northwest corner of said Section 10 bears North 14°25' West 30.95 feet and South 89°50'30" West 474.41 feet; thence North 89°50'30" East along said south right of way line 559.13 feet to a  $\frac{1}{2}$  inch iron pin; thence South 2°11'22" East 362.03 feet to a  $\frac{1}{2}$  inch iron pin; thence South 83°15'15" West 342.80 feet to a  $\frac{1}{2}$  inch iron pin; thence South 88°8'10" West 92.26 feet to a  $\frac{1}{2}$  inch iron pin on the easterly right of way line of said U.S.B.R. No. 20 Drain; thence along said easterly right of way line North 26°56' West 162.46 feet to a  $\frac{1}{2}$  inch iron pin, and North 14°25' West 268.03 feet to the point of beginning, with bearings based on the survey of Parcel 1 of Minor Land Partition No. 79-135, as recorded in the office of the Klamath County Surveyor, Klamath County, Oregon.

and hereinafter referred to as the "Harnsberger" property; and the parties with the boundary line between their respective properties permanently established and have caused a registered professional engineer to survey the same, and said survey has been filed for record in the office of the County Surveyor of Klamath County, Oregon.

90 OCT 21 PM 2 09

Description of the agreed property line between the parties as established by said survey is the boundary line of the "Harnsberger" property described above.

NOW, THEREFORE First Parties, do hereby grant, bargain, sell and convey unto said Second Parties all of their right, title and interest in and to all of the "Harnsberger" property herein described which lies within the agreed property line, and,

Second Parties, do hereby grant, bargain, sell and convey unto said First Parties their heirs and assigns, all of their right title and interest in and to all of the "Beaubien" property herein described which lies outside the agreed property line.

The foregoing conveyances are subject to all reservations, restrictions, releases, agreements and easements of record.

The above conveyances are executed to correct and establish boundary lines, and there is no cash consideration.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first herein set forth.

Harold E. Beaubien  
Harold E. Beaubien

Laura M. Beaubien  
Laura M. Beaubien

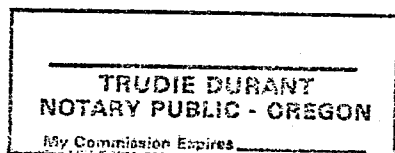
Wilbur C. Harnsberger  
Wilbur C. Harnsberger Trustee

Carolyn I. Harnsberger  
Carolyn I. Harnsberger Trustee

State of Oregon )  
County of Klamath )

This instrument was acknowledged before me on 10/31/90, 1990, by Harold E. Beaubien and Laura M. Beaubien and Wilbur C. Harnsberger and Carolyn I. Harnsberger, Trustees.

Trudie Durant  
Notary Public for Oregon  
My Commission expires 9/30/93



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 31st day of Oct. A.D. 19 90 at 2:09 o'clock P M., and duly recorded in Vol. M90 of Deeds on Page 21888.

FEE \$33.00

Evelyn Biehn - County Clerk

By Pauline Mueland

Return: KCTC