

EASEMENT

SEP 11 PM 2 17
We, LOREN LOVENESS and ELSIE LOVENESS, husband and wife, hereinafter referred to as Grantors, for the consideration hereinafter stated, hereby grant to LOYAL LOVENESS and MILDRED H. LOVENESS, their respective successors, assigns, lessees, agents, and heirs, hereinafter referred to as Grantees, a right-of-way and easement for ingress and egress over and across a strip of land 60 feet in width, lying Westerly of and adjacent to the West line of Section 18, Township 41 South, Range 13 East, of the Willamette Meridian, in Klamath County, Oregon, and more particularly described as follows, to-wit:

A strip of land 60 feet in width, lying Westerly of and adjacent to the West line of Section 18, Township 41 South, Range 13 East, of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at a point 333.58 feet North 00°01'40" East of the North 1/16th corner common to said Section 18 and 13, Township 41 South, Range 12 East, of the Willamette Meridian, and running South 00°01'40" West, 690 feet, more or less, to the center line of the Malin Irrigation Canal, EXCEPTING THEREFROM that portion within Stastny Road, as shown on recorded Survey No. 5020.

Such easement includes the right of the Grantees to construct, maintain, repair, and replace a roadway for ingress and egress to Grantees' real property described in Exhibit "A", attached hereto and by this reference made a part hereof.

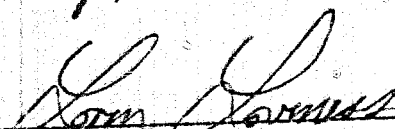
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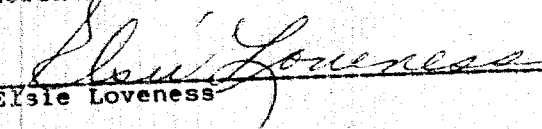
Such easement is for ingress and egress to Grantees' property and shall not be obstructed in any manner by any owner of the serviant estate without the prior written consent of the Grantees, or their successors in interest.

Grantees shall have the sole responsibility for any construction, maintenance and repair of any roadway constructed on the easement strip and Grantees, or their successors, shall be the sole decision makers as to the need for repairs or maintenance.

There is no monetary consideration given for this easement, said easement being granted to conclude a prior exchange of parcels between the parties hereto.

DATED this 6 day of Sept, 1991.


Loren Loveness


Elsie Loveness

STATE OF OREGON)
)
County of Klamath)

ss.

Sept. 6, 1991

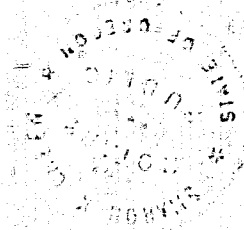
Personally appeared the above-named LOREN LOVENESS and

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ELSIE LOVENESS, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

Harold K. Green
Notary Public for Oregon
My Commission Expires: 10/11/93



A TRACT OF LAND SITUATED IN THE SW1/4 OF SECTION 18 AND THE NW1/4 OF SECTION 19, ALL IN T41S, R11E2W, Klamath County, Oregon, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE 1/4 CORNER COMMON TO SAID SECTIONS 18 AND 19: THENCE N00°08'15"E, ALONG THE NORTH-SOUTH CENTER LINE OF SAID SECTION 18, 984 FEET MORE OR LESS, TO A 5/8" IRON PIN WITH A TRU-LINE SURVEYING PLASTIC CAP, FROM WHICH THE N1/4 CORNER OF SAID SECTION 18 BEARS N00°03'12"E 4332.68 FEET; THENCE WEST 450.46 FEET TO A 5/8" IRON PIN WITH A TRU-LINE SURVEYING PLASTIC CAP; THENCE NORTH 250.00 FEET TO A 5/8" IRON PIN WITH A TRU-LINE SURVEYING PLASTIC CAP; THENCE WEST 325.00 FEET TO A 5/8" IRON PIN WITH A TRU-LINE SURVEYING PLASTIC CAP; THENCE SOUTH 300.00 FEET TO A 5/8" IRON PIN; THENCE WEST 720.00 FEET TO A 5/8" IRON PIN; THENCE NORTH 720.00 FEET TO A 5/8" IRON PIN; THENCE EAST 60.00 FEET TO A POINT 60.00 FEET EAST OF THE WEST LINE OF SAID SECTION 18; THENCE S00°01'04"N, PARALLEL TO SAID SECTION LINE, 742 FEET, MORE OR LESS, TO THE CENTER LINE OF AN IRRIGATION CANAL; THENCE SOUTHEASTERLY, ALONG SAID CANAL CENTER LINE, 2130 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE N1/2NW1/4 OF SAID SECTION 19; THENCE EAST 900 FEET, MORE OR LESS TO THE NW1/4 CORNER OF SAID SECTION 19; THENCE NORTHERLY 1348 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING 112 ACRES, MORE OR LESS.

SUBJECT TO an easement 30 feet in width for roadway purposes located in Section 18, Township 41 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon, the centerline of which is more particularly described as follows:

Beginning at a point on the Easterly right-of-way line of Stasany Road, a county road, from which a 5/8" iron pin marking the Southwest corner of Government Lot 3 of said Section 18 bears North 02 degrees 13' 46" West, 462.50 feet; thence leaving said Easterly right-of-way line North 89 degrees 48' 04" East, 36.90 feet to the beginning of a curve to the left; thence along the arc of a 117.24 foot radius curve to the left (delta= 102 degrees 58' 38"; long chord= North 27 degrees 43' 45" East, 184.74 feet); 212.76 feet to the end of curve; thence North 14 degrees 15' 34" West, 553.35 feet to the beginning of a curve to the right (delta= 20 degrees 30' 50"; long chord= North 04 degrees 30' 09" West, 112.90 feet); 112.51 feet to a point from which the Southwest corner of a tract of land described in Volume 1168 at page 11339, Microfilm Records of Klamath County, Oregon, bears North 89 degrees 56' 49" East, 276.78 feet.

SUBJECT TO:

2. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied; in addition thereto a penalty may be levied if notice of disqualification is not timely given.
3. Liens and assessments of Klamath Project and Malin Irrigation District, and regulations, contracts, easements and water and irrigation rights in connection therewith.
4. Any unpaid charges or assessments of Malin Irrigation District.
5. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
6. Financing Statements, if any, on file in the office of the Secretary of State.

EXHIBIT A-CONI.

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7. An easement created by instrument, subject to the terms and provisions thereof.
Dated: May 28, 1942
Recorded: August 1, 1942
Volume: 149, page 61, Deed Records of Klamath County, Oregon
In favor of: The Pacific Telephone & Telegraph Company
For: Pole and anchor
Affects: NE1/4 NW1/4 Section 19, Township 41 South, Range 13 East of the Willamette Meridian
8. An easement created by instrument, subject to the terms and provisions thereof.
Dated: May 19, 1942
Recorded: August 1, 1942
Volume: 149, page 62, Deed Records of Klamath County, Oregon
In favor of: The Pacific Telephone and Telegraph Company, a California corporation
For: Pole and anchor
Affects: W1/2 Section 18, Township 41 South, Range 13 East of the Willamette Meridian
9. An easement created by instrument, subject to the terms and provisions thereof.
Dated: July 22, 1946
Recorded: September 21, 1946
Volume: 196, page 75, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company, a California corporation
For: Transmission and distribution of electricity
Affects: SW1/4 Section 18, Township 41 South, Range 13 East of the Willamette Meridian
10. An easement created by instrument, subject to the terms and provisions thereof.
Dated: December 21, 1950
Recorded: January 4, 1951
Volume: 244, page 353, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company, a California corporation
For: Transmission and distribution of electricity
Affects: SW1/4 Section 18, Township 41 South, Range 13 East of the Willamette Meridian
11. An easement created by instrument, subject to the terms and provisions thereof.
Dated: August 17, 1966
Recorded: September 8, 1966
Volume: M66, page 8992 Microfilm Records of Klamath County, Oregon
In favor of: Ronald E. Loveness and Mary Lou Loveness, husband and wife
For: Road purposes
12. An easement created by instrument, subject to the terms and provisions thereof.
Dated: December 8, 1973
Recorded: March 1, 1975
Volume: M75, page 3213, Microfilm Records of Klamath County, Oregon
In favor of: Loren E. Loveness and Linda L. Loveness, husband and wife
For: Road purposes

EXHIBIT A-CONT.

18235
24792

13. Right of Way Easement, subject to the terms and provisions thereof,

Dated: April 19, 1977

Recorded: April 25, 1977

Volume: H77, page 6976, Microfilm Records of Klamath County, Oregon

In favor of: Pacific Power and Light Company

For: Electric Transmission and distribution line

Affects: NW1/4 NW1/4 Section 19, Township 41 South, Range 13 East of the Willamette Meridian

14. Subject to the effect of the re-recording of Bargain and Sale Deed dated August 16, 1983, recorded February 24, 1984 in Volume H84, page 2983, executed by Loyal H. Loveness to Mildred H. Loveness, creating 1/4 interest each, to correct legal descriptions of Parcel (a) and Parcel (b).

15. Lease of Farm Land, subject to the terms and provisions thereof;

Dated: February 23, 1983

Recorded: April 15, 1985

Volume: H85, page 5434, Microfilm Records of Klamath County, Oregon

Lessor: Loveness Farms, a partnership

Lessee: Loren and Elsie Loveness

16. Right of way for an airstrip as disclosed by the Klamath County Assessor's map.

17. Major Land Partition Creation of a Private Road, subject to the terms and provisions thereof;

Dated: October 30, 1989

Recorded: November 2, 1989

Volume: H89, page 21172 and 21177, Microfilm Records of Klamath County, Oregon

For: 30' wide private road easement

18. Except reservations, restrictions, rights-of-way, easements of record and those apparent upon the land.



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 14th day of Dec. A.D., 19 90 at 10:03 o'clock A.M., and duly recorded in Vol. H90 on Page 24787 of deeds

By Evelyn Biehn - County Clerk

FEE 53.00

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Loyal H Loveness the 11 day of Sept A.D., 19 91 at 2:17 o'clock P.M., and duly recorded in Vol. M91 on Page 18230 of deeds

By Evelyn Biehn - County Clerk

FEE 53.00

Loyal H Loveness
23939 Holl Rd
Malin, Ore 97632