

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that KLAMATH COUNTY, OREGON, Grantor, in consideration of the sum of ONE DOLLAR (\$1.00), receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to Enterprise Irrigation District, Grantee, a permanent non-exclusive easement for the purpose of installing, inspecting, repairing, maintaining, altering and operating District irrigation line(s) and all necessary appurtenances in, into, upon, over, across and under a strip of land described as follows:

A 60 foot wide easement in Tract 5 of "Enterprise Tracts", being in the NE1/4 SW1/4 of Section 35, T.38S, R.9EWM, Klamath County, Oregon, more particularly described as follows:

The West 60 feet of said Tract 5 of "Enterprise Tracts", lying northerly of the Enterprise Irrigation District low line ditch, excepting therefrom the North 30 feet.

Grantor shall not erect any buildings within the easement area which would inhibit access to said District irrigation line(s) or cause damage to it. Grantor retains the right to utilize the easement area for roadways, driveways, parking lots and/or landscaping, provided trees which would interfere with the irrigation line(s) are not planted.

The District, its successors or assigns, shall not be liable to Grantor for damage to the above-described premises occurring incidental to the proper use of this easement. Provided, however, in the event of damage to premises outside of and adjacent to the above-described parcel(s) caused by the District, its successors and assigns, the party causing such damage shall repair same and place said premises in as good condition as they were immediately prior to such damage.

This document shall be binding upon all subsequent purchasers of the above-described parcel(s), the District and the heirs, successors and assigns, of both.

IN WITNESS WHEREOF, we have hereunto set our hands this _____

day of 4/5/, 1995.

KLAMATH COUNTY BOARD OF COMMISSIONERS

Clifton H. McMillan II
Chairman of the Board

Dave Henzel
County Commissioner

Frank Elzner
County Commissioner

STATE OF OREGON) ss
COUNTY OF KLAMATH)

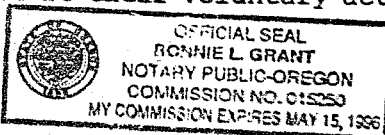
Personally appeared the above named Clifton H. McMillan II;

F. Jean Elzner AND Dave Henzel

and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

Bonnie L. Grant
Notary Public of Oregon



My Commission Expires:

May 15, 1996

After Recording Return To:
Klamath County Public Works

