

MTC 35615PS

Vol 1195 Page 23377

DECLARATION TO EXTINGUISH ACCESS EASEMENT

Dated: ^{AUG-95} ~~July~~ 1, 1995

By: Kenn Arnecke

RECITALS

A. On February 16, 1995, Aqua Farms, L.L.C., an Oregon limited liability company ("Aqua Farms"), by execution of a Declaration of Easement (the "Declaration") created an easement over the parcel of real property in Klamath County, Oregon, legally described on the Exhibit "A" (the "Property") in favor of (1) Kenn Arnecke ("Arnecke"), (2) any entity of which Arnecke is the manger (or person having comparable responsibility) or the owner of a majority in interest of the outstanding equity securities, and (3) their respective employees solely for the purposes of ingress and egress to and from the Property (the "Easement"), on the terms and conditions contained in the Declaration.

B. The Declaration was recorded February 23, 1995, in volume M95, page 4007, of the microfilm records of Klamath County, Oregon.

C. Arnecke is willing to extinguish the Easement and other rights he holds with respect to Aqua Farms in exchange for the payment of \$10,000.

DECLARATION

NOW, THEREFORE, Arnecke hereby declares as follows:

Section 1. No Other Interests in Easement. Kenn Arnecke hereby certifies that there is no entity of which he is a manager or the person having comparable responsibility as a manager, that he does not own a majority in interest of outstanding equity securities of an entity which has any interest in the Easement and that there is no entity

described in the Declaration which has any interest in the Easement. Furthermore, Arnecke certifies that he has no employees who have any interest in the Easement.

Section 2. Arnecke hereby sells and conveys to Aqua Farms all right, title, interest in and to the Easement created by the Declaration for the purpose of extinguishing the Easement against the Property.

Section 3. Authority. Arnecke represents and warrants that he has the appropriate legal authority to extinguish the easement upon signing a recordation of this document. Arnecke represents and warrants that no other person or entity has an ownership interest in the Easement. Arnecke agrees to defend any challenge to his authority to sign and record this declaration.

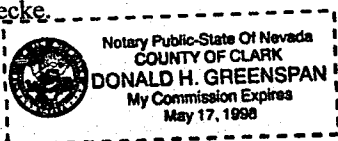
IN WITNESS WHEREOF, Arnecke has executed this declaration as of the date first above written.

EASEMENT HOLDER:

Kenn Arnecke
Kenn Arnecke

NEVADA)
STATE OF ~~OREGON~~)
) ss.
County of CLARK)

This instrument was acknowledged before me on the 1st day of August, 1995 by
Kenn Arnecke.



Donald H. Greenspan
Notary Public for ~~Oregon~~ NEVADA
My Commission Expires: MAY 17, 1998

2 - DECLARATION TO EXTINGUISH ACCESS EASEMENT

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Return to: G. Wayne Zellner
5679 Bowron Place
NIWOT, CO 80503-8622

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co the 30th day
of Aug A.D., 19 95 at 11:16 o'clock A M., and duly recorded in Vol. M95
of Deeds on Page 23377

FEE \$35.00

By Bernetha G. Lisch, County Clerk