

97 MAR 20 P3:48

BOUNDARY LINE AGREEMENT

BOUNDARY LINE AGREEMENT Made the last date set opposite the signatures of the parties hereto, between William L. Garriott III and Dena K. Garriott, husband and wife, and Emma L. Kinney.

WITNESSETH**I. RECITALS:** The parties recite as follows:

A. Ownership of Real Property: William L. Garriott III and Dena K. Garriott are the owners of the following described tract:

SEE ATTACHED EXHIBIT "A"

Emma L. Kinney is the owner of the following described tract:

SEE ATTACHED EXHIBIT "B"

B. Survey: The parties have had a survey prepared of the common boundary between their respective real properties by Tru-Line Surveying of Klamath Falls, Oregon (Survey), prepared in conjunction with Land Partition 53-96.

C. Establishment of Boundary Line: The parties desire to establish the boundary line between their respective real properties according to the Survey.

II. AGREEMENT: The parties agree as follows:

A. Survey Legal Description: The legal description of the common boundary line between the respective real properties of the parties (Survey Legal Description) is as follows:

SEE ATTACHED EXHIBIT "C"

B. Common Boundary Line: William L. Garriott and Dena K. Garriott, and Emma L. Kinney hereby accept the Survey Legal Description set forth in the immediately preceding Subpart A as the true common boundary line between their respective real properties and agree this instrument shall inure to the benefits of, and be binding upon, the respective heirs, executors, administrators, personal representatives, assigns or successors in interest of each party.

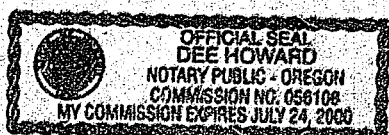
SEE ATTACHED EXHIBIT "D"

34728

State of Oregon)
County of Klamath) ss.

Feb. 17, 1997

Personally appeared before me the above named William L. Garriott
and acknowledged the foregoing instrument to be his voluntary act
and deed.

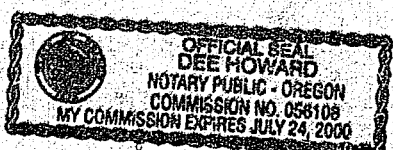


Dee Howard
Notary Public for Oregon
My Commission Expires: July 24-2000

State of Oregon)
County of Klamath) ss.

Feb. 17, 1997

Personally appeared before me the above named Dena K. Garriott
and acknowledged the foregoing instrument to be her voluntary
act and deed.

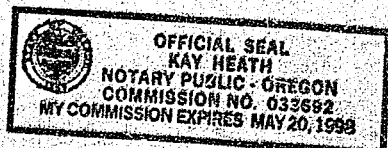


Dee Howard
Notary Public for Oregon
My Commission Expires: July 24-2000

Oregon
State of ~~NEWADA~~)
County of ~~WAZHOOX~~) ss.
Klamath

March 18, 1997

Personally appeared before me the above named Donna Abner, Personal Representative of the
~~EMMA L. KINNEY~~ Estate of Emma L. Kinney
and acknowledged the foregoing instrument to be her voluntary act and
deed.



Kay Heath
Notary Public for Oregon
My Commission Expires: 5-20-98

PARCEL A

Beginning at a point on the North and South centerline of Section 15, Township 39 South, Range 10 East, Willamette Meridian, which is North 0 degrees 35' West, 27 feet more or less from the one quarter corner common to Sections 15 and 22 of said township and range, and which point is also the intersection of the said North and South centerline with the northerly right of way line of the U.S.R.S. canal; thence North 0 degrees 35' West, a distance of 25.5 feet more or less to a point which is 52.7 feet from the said one quarter corner, and which point is the Southwesterly corner of the property of W. B. Barnes, as described in Klamath County Deed Records Volume 133, page 511; thence North 77 degrees 42' East, a distance of 410.2 feet along the Southerly boundary lines of the said Barnes property and the property of the Klamath County School District described in Klamath County Deed Records, Volume 73, page 558; thence North 63 degrees 50' East, a distance of 30.1 feet to the Southeasterly corner of said School property; thence South 3 degrees 40' East to the Northerly right of way line of said U.S.R.S. canal; thence Southwesterly along the northerly right of way line of said U.S.R.S. canal to the point of beginning, being all of that strip of land in the SE1/4 of the SE1/4 of Section 15, Township 39 South, Range 10 East, Willamette Meridian, lying between the said Barnes and School properties on the North and the U.S.R.S. canal on the South.

Beginning at the Southeasterly corner of the W.B. Barnes property in the SW1/4 of SE1/4 of Section 15, Township 39 South, Range 10 East, Willamette Meridian, which property is described in Klamath County Deed Records in Volume 133, page 511, and from which point of beginning it is South 77 degrees 42' West 221.1 feet and thence South 0 degrees 35' East 52.7 feet to the one quarter corner common to Sections 15 and 22 of said township and range; thence from said point of beginning, North 77 degrees 42' East, a distance of 15.3 feet to the Southwesterly corner of the property of the Klamath County School District, which is described in Klamath County Deed Records, Volume 73, page 558; thence North 3 degrees 40' West along the Westerly boundary of said school property, a distance of 349.9 feet to the Northwesterly corner of said property, which point is on the Southerly right of way line of the Klamath Falls-Lakeview Highway; thence Northwesterly along said right of way line to the Northeasterly corner of the said Barnes property; thence South 3 degrees 40' East, a distance of 357.4 feet along the Easterly boundary of the Barnes property, to the point of beginning, being all of that strip of land lying between the Barnes property on the West and the School property on the East.

Beginning at a point 75 feet from and at right angles to the center line of the U.S.R.S. canal, from which point the quarter corner common to Sections 15 and 22, Township 39 South, Range 10 East, Willamette Meridian, bears South 0 degrees and 35' East a distance of 52.7 feet; thence from said point of beginning North 77 degrees 42' East a distance of 221.1 feet; thence North 3 degrees 40' West a distance of 357.4 feet to a point which is on the Southerly right of way line of the Klamath Falls-Lakeview Highway North 68 degrees 32' West a distance of 49.9 feet to a point on the Southerly right of way line of the Klamath Falls-Lakeview Highway, which point is also on the Southerly right of way line of the O.C.&E. Railroad; thence along the Southerly right of way line of the O.C.&E. Railroad South 82 degrees 5' West a distance of 151.8 feet to a point on the North-South center line of Section 15 which is also on the Southerly right of way line of the O.C.&E. Railroad; thence along said North-South center line of Section 15 South 0 degrees 35' East a distance of 402.5 feet to the point of beginning, containing 1.85 acres, more or less.

PARCEL B

Commencing at the South quarter corner of Section 15, Township 39 South, Range 10 East of the Willamette Meridian, running thence North on a subdivision line 563.2 feet; thence North 57 degrees 30' West 180 feet; thence South 662.8 feet; thence East 150 feet to the initial point of beginning, containing 2.03 acres, more or less, situated in the SE1/4 of the SW1/4 of Section 16, Township 39 South, Range 10 East, Willamette Meridian, EXCEPT 100 feet right of way deeded to the Oregon California and Eastern Railway Company.

Owner
Dennis A. Ensor, L.S. W.R.E.

EXHIBIT "C"

8323

TRU SURVEYING, INC. LINE

TELEPHONE (541) 884-3881
2333 SUMMERS LANE • KLAMATH FALLS, OREGON 97603

FEBRUARY 5, 1997

LEGAL DESCRIPTION FOR BOUNDARY LINE AGREEMENT
GARRIOTT AND KINNEY

BEGINNING AT A POINT ON THE NORTHERLY LINE OF THE U.S.R.S.
'B' CANAL FROM WHICH THE SOUTH 1/4 CORNER OF SECTION 15, T39S,
R10EW, KLAMATH COUNTY, OREGON, BEARS S00°43'34"E 27.06 FEET;
THENCE N00°43'34"W 414.58 FEET TO THE SOUTHERLY LINE OF RAILS TO
TRAILS RIGHT OF WAY (FORMERLY O. C. & E. RAILROAD), WITH BEARINGS
BASED ON RECORD OF SURVEY MAP 3624.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Dennis A. Ensor

OREGON
JULY 25, 1980
DENNIS A. ENSOR
2442

Dennis A. Ensor
DENNIS A. ENSOR OLS 2442

EXPIRES 12/31/97

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Tru-Line Surveying, Inc. the 20th day
of March A.D. 19 97 at 3:48 o'clock P. M. and duly recorded in Vol. M97
of Deeds on Page 8319

Return: Tru-Line

2333 Summers Lane
KFO 97603

FEE

\$30.00
5.00 copy

by *Bernetha G. Letsch*
Bernetha G. Letsch, County Clerk