

MTC 1396-8523
STATE OF OREGON
Division of State Lands

EASEMENT NO. EA-12625

97 SEP -3 AM 1:41

The STATE OF OREGON, by and through its Division of State Lands, GRANTOR, for no consideration, hereby grants to Mark Skillman, GRANTEE, an easement and right to construct, maintain, a driveway and domestic utilities in, over, and across State-owned described as follows:

BEGINNING at the South East Corner of Section 16; Township 37 South; Range 15 East; W.M., Tax Lot 4300; thence North along section line a distance of 2,310 feet to the southerly right of way line of Highway 140; thence North Westerly along the southern right of way of Highway 140 a distance of 14 feet; thence South, parallel to said Section 16 section line a distance of 2,330 feet to the North line of Section 21; Township 37 South; Range 15 East; W.M., thence a distance of 14 feet to the TRUE POINT OF BEGINNING in Klamath County, Oregon.

TO HAVE AND TO HOLD the same unto GRANTEE for 40 years, subject to the following conditions:

1. All construction shall conform to standards, specifications and laws of the State of Oregon. The surrounding land shall be restored to a condition acceptable to the GRANTOR at the end of construction.
2. GRANTOR reserves the right to lease or otherwise utilize the State-owned lands within the granted area herein above described in a manner and for uses that will not be incompatible with the primary use for which this easement is granted.
3. GRANTOR shall have the right to stop all operations of this easement for noncompliance with the conditions of this easement or any lawful requirement by a regulatory agency of this State.
4. GRANTEE agrees to defend and hold GRANTOR harmless from any and all claims suffered or alleged to be suffered on the premises. Further, GRANTEE shall be responsible for the payment of any fines or penalties charged against the premises as a result of GRANTEE's action in not complying with laws or regulations affecting the premises.
5. If this easement, as granted is not used for a period of five (5) consecutive years, this easement may be terminated by written notice from GRANTOR to GRANTEE at its last known address. Upon termination, GRANTEE will have 90 days to remove the power line and appurtenances from the State-owned lands.

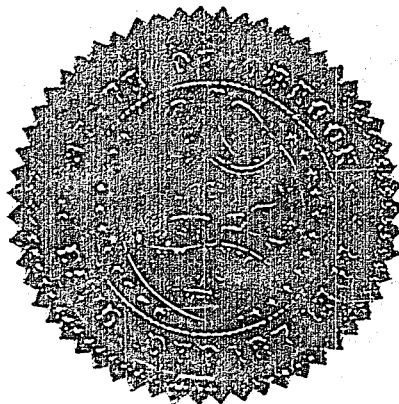
6. Nothing in this document may be construed as permission to GRANTEE to interfere with the public's rights to the free and unimpeded use of the State-owned land within the boundaries of this easement; provided, however, that to the extent necessary to facilitate construction and maintenance of these facilities, GRANTEE may so interfere, but shall keep such interference to an absolute minimum.

7. GRANTEE shall pay all assessments that may be legally charged on public lands which are levied against the property subject to this easement, whether or not such assessments have been levied against the leasehold or STATE by the assessing agency.

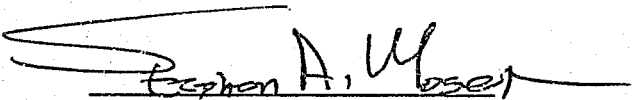
8. GRANTEE shall use the property subject to this easement only in a manner, or for such purposes, that assure fair and nondiscriminatory treatment of all persons without respect to race, creed, color, religion, handicap, disability, age, gender or national origin.

This easement does not convey an estate in fee simple of the lands used for a right-of-way. This grant is for an easement only, and title remains in the State of Oregon.

WITNESS the seal of the Division of State Lands affixed this 16 day of July, 1997.



STATE OF OREGON, acting by and
through its Division of State


Stephen A. Moser, Eastern Regional
Manager

AMERITITLE, has recorded this
instrument by request as an accommodation only,
and has not examined it for regularity and sufficiency
or as to its effect upon the title to any real property
that may be described therein.

After recording, mail to:

Mark Skillman
5000 Cirrus Drive, #203
Medford, OR 97504

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 3rd day
of Sept. A.D., 19 97 at 11:41 o'clock A. M., and duly recorded in Vol. M97
of Deeds on Page 28872

FEE \$15.00

By Bernetha G. Letsch, County Clerk
Kathleen Ross