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mtc 48410
EASEMENT

In consideration of the mutual agreements herein, Daryl J. Kollman and Marta C. Kollman, hereinafter referred to as "Kollmans", do hereby grant a perpetual and non-exclusive easement unto the New Earth Company, an Oregon corporation, and themselves on that certain real property in Klamath County, Oregon, described on Exhibit "A" attached. Said easement shall be used for ingress and egress, as well as the installation and maintenance of utilities lines. This easement shall be deemed appurtenant to the adjoining real property described on Exhibit "B" attached and the adjoining property described on Exhibit "C" attached and shall benefit said grantees, their successors and assigns. The Kollmans do hereby also grant a perpetual and non-exclusive easement for ingress and egress, as well as the installation and maintenance of utilities lines, upon the real property described on Exhibit "B" attached. Said easement shall be deemed appurtenant to the real property described on Exhibit "A" and the adjoining property described on Exhibit "C" attached. This easement shall benefit the owners of said dominant parcels, their successors and assigns. These latter easements shall be considered situated upon the existing paved area on the parcel described on Exhibit "D". It is further agreed that the New Earth Company and the Kollmans do hereby grant unto the Kollmans, their successors and assigns, a perpetual and non-exclusive easement for ingress and egress and the installation and maintenance of utilities lines on the parcel described on Exhibit "C". Said easement shall be deemed appurtenant to the parcel described on Exhibit "B". This easement shall be deemed situated upon the existing paved area on the parcel described on Exhibit "E".

Dated this 30 day of June, 1999.

Daryl J. Kollman
DARYL J. KOLLMAN, Individual

Marta C. Kollman
MARTA C. KOLLMAN, Individual

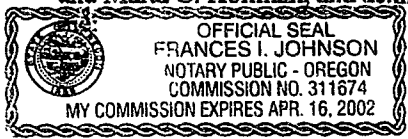
THE NEW EARTH COMPANY

By: Daryl J. Kollman
DARYL J. KOLLMAN

Marta C. Kollman
MARTA C. KOLLMAN

STATE OF OREGON)
) §
COUNTY OF KLAMATH)

On this 21st day of June, 1999, personally appeared the above-named Daryl J. Kollman and Marta C. Kollman, and acknowledged the foregoing instrument to be a voluntary act. Before



Frances Johnson
Notary Public for Oregon
My Commission Expires: 4/16/2002

LAW OFFICES OF
DAVIS, GILSTRAP, HEARN, SHAW & SALADOFF
A Professional Corporation
515 EAST MAIN STREET
ASHLAND, OREGON 97520
(541) 482-3111 FAX (541) 488-4455

STATE OF OREGON)
) §
 COUNTY OF KLAMATH)



On this 21st day of June, 1999, personally appeared the above-named Daryl J. Kollman and Marta C. Kollman, the Secretary/Treasurer and President respectively, of The New Earth Company, and acknowledged that said instrument was executed on behalf of said corporation's Board of Directors. Before me:

Frances I. Johnson
 Notary Public for Oregon
 My Commission Expires: 4/16/2002

EXHIBIT A

A TRACT OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 33, TOWNSHIP 38 SOUTH, RANGE 9 EAST, OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 33; THENCE NORTH 00°44'52" WEST, 69.16 FEET TO A POINT ON THE OLD SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET; THENCE SOUTH 55°27'00" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 407.10 FEET TO THE MOST NORTHERLY CORNER OF CENTRAL PACIFIC RAILROAD COMPANY LANDS AS DESCRIBED IN VOLUME 85, PAGE 120, KLAMATH COUNTY DEED RECORDS; THENCE SOUTH 10°46'30" WEST, 10.93 FEET TO A POINT ON THE SOUTHERLY LINE OF THE RIGHT-OF-WAY LINE OF SOUTH 6TH STREET, SAID POINT ALSO LYING ON THE WESTERLY LINE OF SAID LANDS DESCRIBED IN VOLUME 85, PAGE 120, KLAMATH COUNTY DEED RECORDS; THENCE SOUTH 10°46'30" WEST, 392.29 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, SOUTH 10°46'30" WEST, 197.35 FEET TO THE MOST SOUTHERLY CORNER OF THE LAND DESCRIBED IN DEED TO CENTRAL PACIFIC RAILROAD COMPANY AS RECORDED IN VOLUME 85, PAGE 121, SAID CORNER BEING THE WESTERLY LINE OF THE LAND DESCRIBED AS PARCEL 2 IN DEED DATED AUGUST 21, 1928, FROM J.A. GORDON TO CENTRAL PACIFIC RAILROAD COMPANY AS RECORDED SEPTEMBER 4, 1928, IN VOLUME 82, PAGE 221 OF THE KLAMATH COUNTY DEED RECORDS; THENCE CONTINUING ALONG SAID WESTERLY LINE ALONG THE ARC OF A 706.05 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 16°37'00", AN ARC DISTANCE OF 204.76 FEET (THE LONG CHORD OF WHICH BEARS NORTH 26°14'29" EAST, 204.05 FEET) TO A POINT OF NON-TANGENCY; THENCE LEAVING SAID WESTERLY LINE, NORTH 78°29'48" WEST, 54.42 FEET TO THE POINT OF BEGINNING.

THIS TRACT OF LAND CONTAINS 0.10 ACRES MORE OR LESS.

EXHIBIT B

A TRACT OF LAND LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 33, TOWNSHIP 38 SOUTH, RANGE 9 EAST, OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 33, THENCE NORTH 00°00'49" EAST, 69.37 FEET TO A POINT ON THE ORIGINAL SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET; THENCE SOUTH 55°27'00" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 188.55 FEET; THENCE SOUTH 10°46'30" WEST, 25.27 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID SOUTH 6TH STREET AND THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET THE FOLLOWING THREE COURSES, SOUTH 73°06'17" EAST, 32.30 FEET; THENCE SOUTH 61°22'11" EAST, 32.28 FEET; THENCE SOUTH 55°27'00" EAST, 149.88 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET, SOUTH 10°46'30" WEST, 589.64 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE ALONG THE ARC OF A 706.05 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 01°27'00", AN ARC DISTANCE OF 17.87 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 17°12'30" WEST, 17.86 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 10°46'30" WEST, 70.23 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 702.55 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 22°37'00", AN ARC DISTANCE OF 277.32 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 00°32'00" EAST, 275.52 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE ALONG THE ARC OF A 484.18 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 32°53'29", AN ARC DISTANCE OF 277.95 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 28°17'14" EAST, 274.15 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 44°44'00" EAST, 40.49 FEET; THENCE NORTH 51°04'00" WEST, 302.60 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE ALONG THE ARC OF A 573.14 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 48°14'00", AN ARC DISTANCE OF 482.49 FEET (THE LONG CHORD OF WHICH BEARS NORTH 13°20'30" WEST 468.36 FEET) TO A POINT OF TANGENCY; THENCE NORTH 10°46'30" EAST, 687.07 FEET TO THE POINT OF BEGINNING.

THIS TRACT OF LAND CONTAINS 4.80 ACRES MORE OR LESS.

EXHIBIT C

A TRACT OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 33, TOWNSHIP 38 SOUTH, RANGE 9 EAST, OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 33; THENCE NORTH $00^{\circ}44'52''$ WEST, 69.16 FEET TO A POINT ON THE OLD SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET; THENCE SOUTH $55^{\circ}27'00''$ EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 407.10 FEET TO THE MOST NORTHERLY CORNER OF CENTRAL PACIFIC RAILROAD COMPANY LANDS AS DESCRIBED IN VOLUME 85, PAGE 120, KLAMATH COUNTY DEED RECORDS; THENCE SOUTH $10^{\circ}46'30''$ WEST, 10.93 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET, SAID POINT ALSO LYING ON THE WESTERLY LINE OF THE LAND DESCRIBED IN VOLUME 85, PAGE 120, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET, SOUTH $49^{\circ}37'43''$ EAST, 197.04 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET, ALONG THE ARC OF A 467.68 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF $13^{\circ}06'50''$, AN ARC DISTANCE OF 107.04 FEET (THE LONG CHORD OF WHICH BEARS SOUTH $27^{\circ}59'33''$ WEST, 106.81 FEET) TO A POINT OF TANGENCY; THENCE SOUTH $34^{\circ}33'00''$ WEST, 211.60 FEET; THENCE NORTH $78^{\circ}29'48''$ WEST, 54.42 FEET; THENCE NORTH $10^{\circ}46'30''$ EAST, 392.29 FEET TO THE POINT OF BEGINNING.

THIS TRACT OF LAND CONTAINS 0.99 ACRES MORE OR LESS.

EXHIBIT D

A TRACT OF LAND LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 33, TOWNSHIP 38 SOUTH, RANGE 9 EAST, OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 33, THENCE NORTH 00°00'49" EAST, 69.37 FEET TO A POINT ON THE ORIGINAL SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET; THENCE SOUTH 55°27'00" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 188.55 FEET; THENCE SOUTH 10°46'30" WEST, 25.27 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID SOUTH 6TH STREET; THENCE CONTINUING ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET THE FOLLOWING THREE COURSES, SOUTH 73°06'17" EAST, 32.30 FEET; THENCE SOUTH 61°22'11" EAST, 32.28 FEET; THENCE SOUTH 55°27'00" EAST, 149.88 FEET TO THE **TRUE POINT OF BEGINNING**; SAID POINT ALSO LYING ON THE WESTERLY LINE OF THE LAND DESCRIBED IN VOLUME 85, PAGE 120; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET AND ALONG THE EASTERLY LINE OF THAT PARCEL DESCRIBED IN EXHIBIT "B", SOUTH 10°46'30" WEST, 422.29 FEET; THENCE LEAVING SAID EASTERLY LINE, NORTH 79°13'30" WEST, 30.00 FEET; THENCE NORTH 10°46'30" EAST, 435.51 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID SOUTH 6TH STREET; THENCE SOUTH 55°27'00" EAST, ALONG SAID RIGHT-OF-WAY LINE, 32.78 FEET TO THE POINT OF BEGINNING.

THIS TRACT OF LAND CONTAINS 0.30 ACRES MORE OR LESS.

EXHIBIT E

A TRACT OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 33,
TOWNSHIP 38 SOUTH, RANGE 9 EAST, OF THE WILLAMETTE MERIDIAN, KLAMATH
COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 33; THENCE
NORTH 00°44'52" WEST, 69.16 FEET TO A POINT ON THE OLD SOUTHERLY RIGHT-OF-WAY
LINE OF SOUTH 6TH STREET; THENCE SOUTH 55°27'00" EAST, ALONG SAID SOUTHERLY
RIGHT-OF-WAY LINE, 407.10 FEET TO THE MOST NORTHERLY CORNER OF CENTRAL
PACIFIC RAILROAD COMPANY LANDS AS DESCRIBED IN VOLUME 85, PAGE 120.
KLAMATH COUNTY DEED RECORDS; THENCE SOUTH 10°46'30" WEST, 10.93 FEET TO A
POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET, SAID POINT
ALSO LYING ON THE WESTERLY LINE OF THE LAND DESCRIBED IN VOLUME 85, PAGE
120, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING
ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET, SOUTH 49°37'43"
EAST, 197.04 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE LEAVING SAID
SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH 6TH STREET, ALONG THE ARC OF A 467.68
FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 03°12'32", AN ARC
DISTANCE OF 26.19 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 23°02'26" WEST,
26.19 FEET) TO A POINT ON NON-TANGENCY; THENCE NORTH 49°37'43" WEST, 190.65 FEET
TO THE WESTERLY LINE OF THAT PARCEL DESCRIBED IN EXHIBIT "C"; THENCE ALONG
SAID WESTERLY LINE, NORTH 10°46'30" EAST, 28.75 FEET TO THE SOUTHERLY RIGHT-OF-
WAY LINE OF SAID SOUTH 6TH STREET AND THE POINT OF BEGINNING.

THIS TRACT OF LAND CONTAINS 0.11 ACRES MORE OR LESS.

State of Oregon, County of Klamath
Recorded 8/06/99, at 11:21 A m.
In Vol. M99 Page 31456
Linda Smith,
County Clerk Fee \$ 60.00