

UTILITY RIGHT-OF-WAY EASEMENT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in for consideration of One Dollar (\$1.00) and other good and valuable consideration paid to Kenneth S. Curbow and Marie M. Curbow, husband and wife, hereinafter referred to as GRANTOR, by CRESCENT WATER ASSOCIATION hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged.

WITNESSETH:

WHEREAS: The GRANTOR is the owner of the following described real estate in Klamath County, State of Oregon. The GRANTOR does hereby grant, assign and set over to the GRANTEE, to-wit:

A PERMANENT EASEMENT, PERPETUAL, AND EXCLUSIVE RIGHT OF WAY, INCLUDING RIGHT TO ENTER UPON THE REAL ESTATE HEREIN AFTER DESCRIBED, AT ANY TIME THAT IT MAY SEE FIT, AND CONSTRUCT, MAINTAIN, AND REPAIR UNDER GROUND PIPELINES AND OR MAINS FOR THE PURPOSE OF CONVEYING WATER OVER, ACROSS, THROUGH, AND UNDER THE LANDS HEREINAFTER DESCRIBED, TOGETHER WITH THE RIGHT TO EXCAVATE AND REFILL DITCHES AND OR TRENCHES FOR THE LOCATION OF SAID PIPELINES AND OR MAINS, AND FURTHER RIGHT TO REMOVE TREES, BUSHES, UNDERGROWTH, AND OTHER OBSTRUCTIONS INTERFERING WITH THE LOCATION, CONSTRUCTION, AND MAINTENANCE OF SAID PIPELINES AND OR MAINS.

THE LAND AFFECTED BY THE GRANT OF THIS EASEMENT AND RIGHT OF WAY IS LOCATED IN KLAMATH COUNTY, STATE OF OREGON, DESCRIBED IN EXHIBIT A ON PAGE 2 WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: Commencing at a point at Northwest corner of Tax lot 1200 and center line of vacated Riverview Street in Northeast one quarter of Southwest one quarter of Section 30 township 24 South Range 9 East W.M., Fourteen (14) feet wide, east of and along the center line of vacated Riverview Street and in a Southerly manner through Tax lot 1200 terminating at East one half of Riverview Street and Klamath Northern Railroad property.

A Construction right-a-way of Thirty-five (35) feet wide is granted to construct above main pipeline. At the end of construction the easement will then be only fourteen (14) feet wide.

The GRANTEE shall have the right to immediate possession of property describe in this easement.

The GRANTEE shall hold and save the GRANTOR harmless from any liability caused by GRANTEE work within the easement on the operation and maintenance of pipelines and or mains.

Except as to the rights herein granted, the GRANTOR shall have full use and control of the above described real estate.

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the immediate parties hereto but also their respective heirs, executors, administrators and successors in interest as well.

IN WITNESS WHEREOF, the parties hereto have subscribed this instrument in duplicate on this 5 day of May 2000.

For the GRANTOR:

Kenneth S. Curbow
Kenneth S. Curbow

Marie M. Curbow
Marie M. Curbow

For the GRANTEE:

Mark Crisp
Mark Crisp Vice President

EXHIBIT A

~~CEN.
SEC.~~

STEVEN

THE DALLES - CALIFORNIA HWY.

1414

JONES

WARD

NE 1/4 SW 1/4 SEC. 30 T.24S. R.09E W.M.
KLAMATH COUNTY

181-

Z

Entered Line

RIVERVIEW STREET VACATED

٥١

3

1

200
0.22 AC.

200
0.31 AC

100
0.35 AC.

400
0.33 AC.

500
0.20
AC

600
0.3% AC.

700 0.18 AC.

860
1.20 AC.

1551
SEE CS
1200
0.01 AC

1300
1.34 AC

1100
14.03 AC

1400
0.23 AC.

← Right-way

SEE CS2570

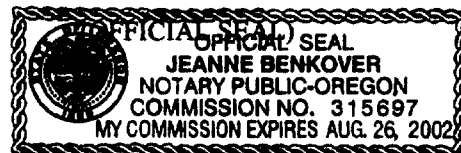
STATE OF OREGON,)
 County of Klamath) ss.
515, 2000)

Personally appeared the above-named Kenneth S. Curbow and Marie M. Curbow, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Jeanne Benkover
 Notary Public for Oregon

My commission expires: 8-26-02



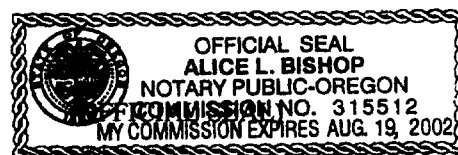
STATE OF OREGON,)
 County of Klamath) ss.
May 9, 2000)

Personally appeared the above named Mark Crisp Vice President of Crescent Water Association a corporation and acknowledged the foregoing instrument to be voluntary act and deed in behalf of said corporation.

Before me:

Alice L. Bishop
 Notary Public for Oregon

My commission expires: August 19, 2002



STATE OF OREGON, County of Klamath

Recorded _____, at _____ m.

In Vol. _____ Page _____

(Space reserved for Recorder's use)

Linda Smith,
 County Clerk Fee\$ _____

After Recording return to
 Crescent Water Association
 Box 247
 Crescent, Oregon 97733-0247

UTILITY EASEMENT Page 3 of 3

State of Oregon, County of Klamath
 Recorded 05/16 /00, at 2:47 p m.
 In Vol. M00 Page 17707
 Linda Smith,
 County Clerk Fee\$ 31.00