

**RELEASE OF EASEMENT
VOLUME M76 AT PAGE 1324
MICROFILM RECORDS OF KLAMATH COUNTY, OREGON**

This Agreement to Release and extinguish an easement created by instrument recorded in Volume M76 at Page 1324, Microfilm Records of Klamath County, Oregon, is made this 2nd day of August, 2001 by ROBERT A. STEWART and MARILYN J. STEWART, Husband and Wife. both as dominant and servient tenement. The parties now desire to extinguish said easement as it is no longer necessary and is a burden to the respective parcels.

By the signatures below the parties are extinguishing the easement recorded in Volume M76 at Page 1324 originally created by Mildred D. Cunningham and Eugene Cunningham and Sally Cunningham, Husband and Wife for ingress and egress. By extinguishment of this easement the respective parcels shall no longer be burdened by the easement and the respective parcel owners will have the full enjoyment of the real property as if the easement never existed. Said easement being extinguished is attached hereto as Exhibit "A". This extinguishment of easement shall be binding to the respective parties and their heirs, successors and assigns.

IN WITNESS WHEREOF, the parties have hereunto set their hands this 2nd day of August, 2001.

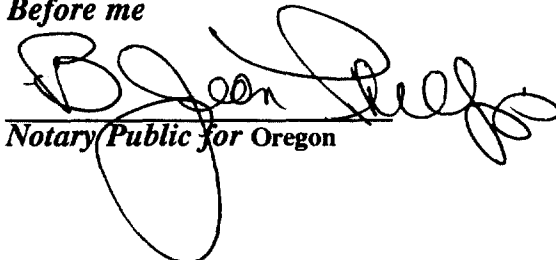

Robert A. Stewart

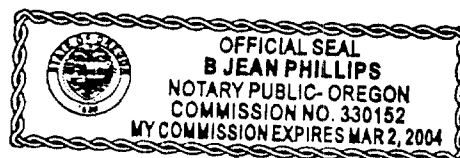

Marilyn J. Stewart

**State of Oregon
County of Klamath**

Signed before me this 2nd of August, 2001 by Robert A. Stewart and Marilyn J. Stewart to be their voluntary act and deed.

Before me


Notary Public for Oregon



Return after recording:

**Robert A. Stewart
2918 Edison Ave.
Klamath Falls, Oregon 97603**

38-10185

- WARRANTY DEED -

MILDRED D. BERGEN, who was formerly Mildred D. Cunningham, Grantor, conveys to EUGENE CUNNINGHAM and SALLY CUNNINGHAM, husband and wife, Grantees, all that real property situate in the County of Klamath, State of Oregon, described as:

A tract of land situated in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Twp. 39 South, Range 10 E.W.M., more particularly described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 6; thence South 89°46'35" West along the North line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ 755.00 feet; thence South 00°04'39" East 977.24 feet, more or less, to a line which is North 00°04'39" West 350 feet, from the Southerly line of the said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence North 89°45'36" East parallel to said Southerly line 374.22 feet, more or less, to the centerline of the Enterprise Irrigation District Canal and Northeasterly and Southeasterly along said centerline to the East line of the said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence North 00°04'39" West 932.02 feet to the point of beginning,

TOGETHER WITH a 30 foot easement along the Easterly line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 6, from the Southerly line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ to the centerline of the Enterprise Irrigation District Canal, for ingress and egress to the above described tract of land,

and covenants that Grantor is the owner of the above-described property, free of all encumbrances, except as follows:

1. Regulations, assessments, water and irrigation rights and easements for ditches and canals, of Enterprise Irrigation District;
2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Basin Improvement District.

Subject to the terms and provisions of that certain instrument recorded July 24, 1970 in Vol.M-70 at page 6187 as "Notice to persons intending to Plat Lands within the Klamath Basin Improvement District."

3. Rights of the public in and to any portion of said premises lying within the limits of roads and highways;
4. Right of way for ingress and egress, including the terms and provisions thereof, granted to El Paso Natural Gas Company, a corporation, by instrument recorded Oct. 12, 1961 in Deed Vol. 333 at page 143, records of Klamath County, Oregon;
5. Geothermal Lease, including the terms and provisions thereof, dated August 20, 1973, recorded Aug. 31, 1973 in M-73 at page 11762, Microfilm Records, between Mildred D. Bergen and Michael Bergen and Joe S. Snyder, an undivided $\frac{1}{2}$ interest in which lease was assigned by assignment of lease recorded Sept. 12, 1973 in M-73 at page 12288, Microfilm Records, to Creston H. Alexander, and the interest of Creston H. Alexander having been assigned to Creslann Oil Company by assignment recorded July 24, 1975, in M-75 at page 8445, Microfilm Records.

and Ratification and Rental Division Order, between Mildred D. Bergen and Michael Bergen, Lessors, and Joe S. Snyder and Creslann Oil Company, lessee, recorded Oct. 22, 1975 in M-75 at page 13208, Microfilm Records of Klamath County, Oregon;

6. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the

WILLIAM P. BRANDENESS
ATTORNEY AT LAW
411 PINE STREET
KLAMATH FALLS, OREGON 97601

land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.

7. Subject to an easement and right of way 20 feet in width granted to Enterprise Irrigation District by quitclaim deed recorded March 2nd, 1966 in M-66, page 2711, Microfilm Records of Klamath County, Oregon;

8. Subject to a 30 foot easement along the Easterly line of property in question for ingress and egress.

9. And subject to easements and rights of way apparent on the land, if any, and

10. Subject to the restriction that no permanent house trailer or mobile home will ever be placed on said property,

and grantor will warrant and defend the same against all persons who lawfully claim the same, except as above set forth.

The true and actual consideration for this transfer is Eight Thousand Twenty-Five and no-100ths (\$8025.00) Dollars.

Dated this 8th day of January, 1976.

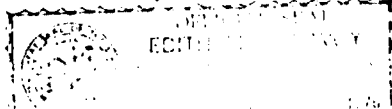
Mildred D. Bergen

State of CALIFORNIA

County of Butte

January 20, 1976

Personally appeared the above-named MILDRED D. BERGEN, who was formerly Mildred D. Cunningham, and acknowledged the foregoing instrument to be her voluntary act and deed. Before me:



Edith M. McAvoy
Notary Public for California

My Commission expires: May 21, 1976

Until exchange is requested all tax statements shall be mailed to grantee at Route 1, Box 925-8 Klamath Falls, Oregon 97601

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of WILLIAM P. BRANDSNESS

this 28th day of January A.D. 1976 at 11:03 o'clock A.M.

duly recorded in Vol. M 76, of 00000000 on Page 14

FEE \$ 6.00

W. D. MILNE County Clerk
Hazel Drayle

Return to:
WILLIAM P. BRANDSNESS
ATTORNEY AT LAW
411 PINE STREET
KLAMATH FALLS, OREGON 97601

State of Oregon, County of Klamath
Recorded 08/29/01 at 11:52 a.m.
In Vol. M01 Page 43995
Linda Smith,
County Clerk Fee \$ 31.00