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Vol. M01 Page 47391

CHILOQUIN STATE AIRPORT
UTILITY EASEMENT

This agreement, made this 1st day of September, 2001, by and between State of Oregon, Department of Aviation, Grantor and City of Chiloquin, Oregon, Grantee:

WHEREAS, Grantor is the owner of the following described real property in Klamath County Oregon

See attached Exhibit "A"

The grantor, in consideration of grantee allowing grantor a future connection, at no charge, to the water and sewer facilities for future airport development, and other valuable consideration, does hereby grant and convey to the Grantee, its heirs, successors and assigns, a perpetual, nonexclusive easement described and shown as follows:

See attached Exhibit "B"

for the construction, maintenance, use and repair of a municipal fresh water line and water-carried sewage disposal system appurtenant to the above-described property of grantees.

This agreement is subject to the following terms and conditions:

1. The easement described herein grants to the Grantee, and to its successors, assigns, authorized agents or contractors, the right to enter upon said easement at any time for construction, maintenance, evaluation and/or repair purposes.
2. The Grantee is responsible for obtaining all required permits and for payment of all associated fees.
3. The Grantee is responsible for any needed repairs or replacement of the water/sewer line.
4. Upon performing any construction or maintenance, Grantee will make reasonable efforts to return the site to original or better condition.
5. No structure shall be constructed on this easement.
6. The easement granted herein may be terminated in the event of a default in the obligations specified herein, after notice and opportunity to cure. In addition, the easement may be terminated at the option of Grantor if in the opinion of the servient owner the easement property is not being used for the purposes set forth above.
7. The easement granted herein includes 10' of land on either side of the centerline of the easement area described in Exhibit B.

After recording return to: Oregon Department of Aviation
3040 25th St SE
Salem, OR 97302-1125

\$51✓

Grantor, for itself, its heirs, successors and assigns, covenants and agrees to and with the grantee, its heirs, successors and assigns, that the above-described property of the grantors shall not be used for any purpose detrimental to said system or contrary to laws and rules of governmental agencies applicable or related to said system.

IN WITNESS WHEREOF, the Grantor has hereunto fixed its hand and seal the day and year first above written. As a state agency, it has caused its name to be signed and its seal, if any, affixed by an officer or other persons duly authorized to do so by designated authority of the State Aviation Board by duly-adopted Delegation Order No. 1, dated October 12, 2000.

GRANTOR

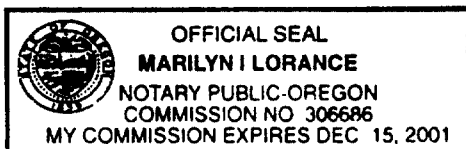
State of Oregon, Department of Aviation

Ann B. Crook

Ann B. Crook, Director

STATE OF OREGON)
COUNTY OF Marion)

The foregoing instrument was acknowledged before me this 11th day of September, ²⁰⁰¹~~2000~~, by Ann B. Crook, Manager, Oregon Department of Aviation.



Marilyn I. Lorange

After recording return to: Oregon Department of Aviation
3040 25th St SE
Salem, OR 97302-1125

EXHIBIT "A"
CHILOQUIN STATE AIRPORT
PROPERTY DESCRIPTION

47393

The following described property is a tract of land located in the East ½ of Section 33 and the Northwest ¼ of Section 34 in Township 34 South, Range 7 East of the Willamette Meridian, and in the Northeast ¼ of Section 4 in Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Beginning at a point at the intersection of the Westerly R/W line of the Chiloquin-Agency Highway and the Southeasterly R/W line of Annie Court, this point also being at the Northeast corner of a tract of land (Lot 10) deeded to the State of Oregon, Department of Transportation, Aeronautics Division, hereinafter called State, and recorded in Vol. M89, Page 17997, Klamath County Deed Records. Which point is 235' +/- West and 30' +/- South of the Section corner common to Sections 28 and 33, Township 34 South, Range 7 East of the Willamette Meridian. Thence South 23°19'52" East 730.16' +/- along the Westerly R/W line of Chiloquin-Agency Highway to the Southeast corner of the Lot 12B, deeded to the State, as recorded in Vol. M89, Page 23824, of Klamath County Deed Records. Thence South 66°40'08" West 318.20' +/- to the Southwest corner of said Lot 12B. Thence South 5°03'00" West 192.0' +/- to the Southeast corner of Lot 13A, deeded to the State, recorded in Vol. M89, Page 21761, Klamath County Deed Records. Thence South 89°50'08" East 220.70' +/- to the Northeast corner of the parcel of land deeded to the State as recorded Vol. M81, Page 2396 and Vol. M81, Page 6182 (Parcel 1), Klamath County Deed Records. Thence South 0°19'04" East 1663.39' +/- along the Easterly property line of said

Parcel 1 to the quarter corner between Sections 33 and 34, Township 34 South, Range 7 East of the Willamette Meridian. Thence along the Section line, South $1^{\circ}10'00''$ East 515.00' +/- to the Northwest corner of the parcel conveyed to the City of Chiloquin by instrument number M77-12675, Klamath County Deed Records. Thence along the Westerly extension of the North line of said parcel, West 42.07' +/- to a point that is South $84^{\circ}57'00''$ East 415.00' +/- from the Easterly line of that parcel conveyed to the State, recorded in Vol. 322, Page 239, Klamath County Deed Records. Thence parallel to said Easterly line South $5^{\circ}03'00''$ West 1970.05' +/- Thence South $43^{\circ}48'00''$ East 263.02' +/- along the Easterly property line of Parcel 1 to the Northerly R/W line of the Chiloquin Highway (State Highway No. 422). Thence South $46^{\circ}12'00''$ West 60' +/- along the Northerly R/W line of Chiloquin Highway to most Easterly corner of the tract of land owned by the City of Chiloquin as recorded in Vol. 107, Page 485, of Klamath County Deed Records. Thence North $43^{\circ}48'00''$ West 420.73' +/- to the North, Northeast corner of the said City of Chiloquin tract. Thence North $84^{\circ}57'00''$ West 141.76' +/- to the Northwest corner of the City of Chiloquin tract. Thence South $05^{\circ}03'00''$ West 650' +/- to a point on the North property line of the parcel deeded to the State as recorded in Vol. M90, Page 11205, Klamath County Deed Records. Thence North $89^{\circ}0'00''$ East 159.33' +/- to a point of the Northerly R/W line of Chiloquin Highway and the Northeast corner of the previously named parcel. Thence Southwest along the Northerly R/W line of the Chiloquin Highway 943.59' +/- to the Southwest corner of the said parcel. Thence North $5^{\circ}03'00''$ East 631.26' +/- to the Northwest corner of the said parcel. Thence North $89^{\circ}0'00''$ East 95.52' +/- to the Southwest corner of the parcel of land deeded to the State in Vol. M81, Page 2396 and Vol. M81, Page 6182 (Parcel 1), Klamath County Deed Records. Thence North

05°03'00" East 617.34' +/- to the Southeast corner of a parcel deeded to the State in Vol. M81, Page 2396 and Vol. M81, Page 6182 (Parcel 2), Klamath County Deed Records. Thence North 84°57'00" West 409.18' +/- to the Easterly R/W of State Highway 97 and the Southwest corner of said Parcel 2. Thence Northerly along the Easterly R/W line of State Highway 97 4078.0' +/- to the Northwest corner of said Parcel 1, deeded to the State in Vol. 81, Page 2396 and Vol. 81, Page 6182, Klamath County Deed Records. Thence South 89°50'08" East 277.44' +/- to the Southwest corner of Lot 7A, deeded to the State in Vol. M89, Page 21073, Klamath County Deed Records. Thence Due North 246.76' +/- to the West, Northwest corner of said Lot 7A. Thence North 53°29'14" East 171.79' +/- to the North, Northwest corner of Lot 7A, and a point on the Easterly R/W line of the Cul-de-sac on Annie Court. Thence Easterly and Northerly 780.89' +/- along the Easterly R/W of Annie Court to the point of beginning of this description.

EXHIBIT "B"
Utility Easement Description

A 20 foot wide strip of land situated in the SE1/4 of the SE1/4 of Section 33, Township 34, Range 07 East of the Willamette Meridian, Klamath County, Oregon, being ten 910) foot wide on each side of center line, said center line being more particularly described as follows:

Commencing at the SE corner of Section 33 thence; North 22°21'56" West 585.36 feet to a point on the Easterly boundary of parcel 1 as described in Vol. M81, Page 2396, Klamath County Deed Records, being the True Point of Beginning; thence leaving said East boundary, North 63°03'37" West 217.90 feet; thence North 05°31'37" East 695.86 feet; thence South 90°00'00" East 203.81 feet to a point on the Easterly boundary of parcel 1 as described in Vol. M81, Page 2396, Klamath County Deed Records, being the end point of said strip of land, with the sidelines of said strip to be lengthened or shortened to their intersections or their termination on said Easterly boundary.

ALSO INCLUDING a temporary easement, for construction, a 60 feet wide strip of land situated in the SE ¼ of Section 33, Township 34, Range 07 East of the Willamette meridian, Klamath County, Oregon, being twenty-five (25) feet wide on the right side of center line and thirty-five (35) feet wide on the left side of center line, said center line being as described above.

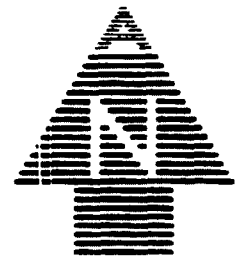
See attached Exhibit "C"

The basis of bearings for this description is Klamath County Survey 6171.

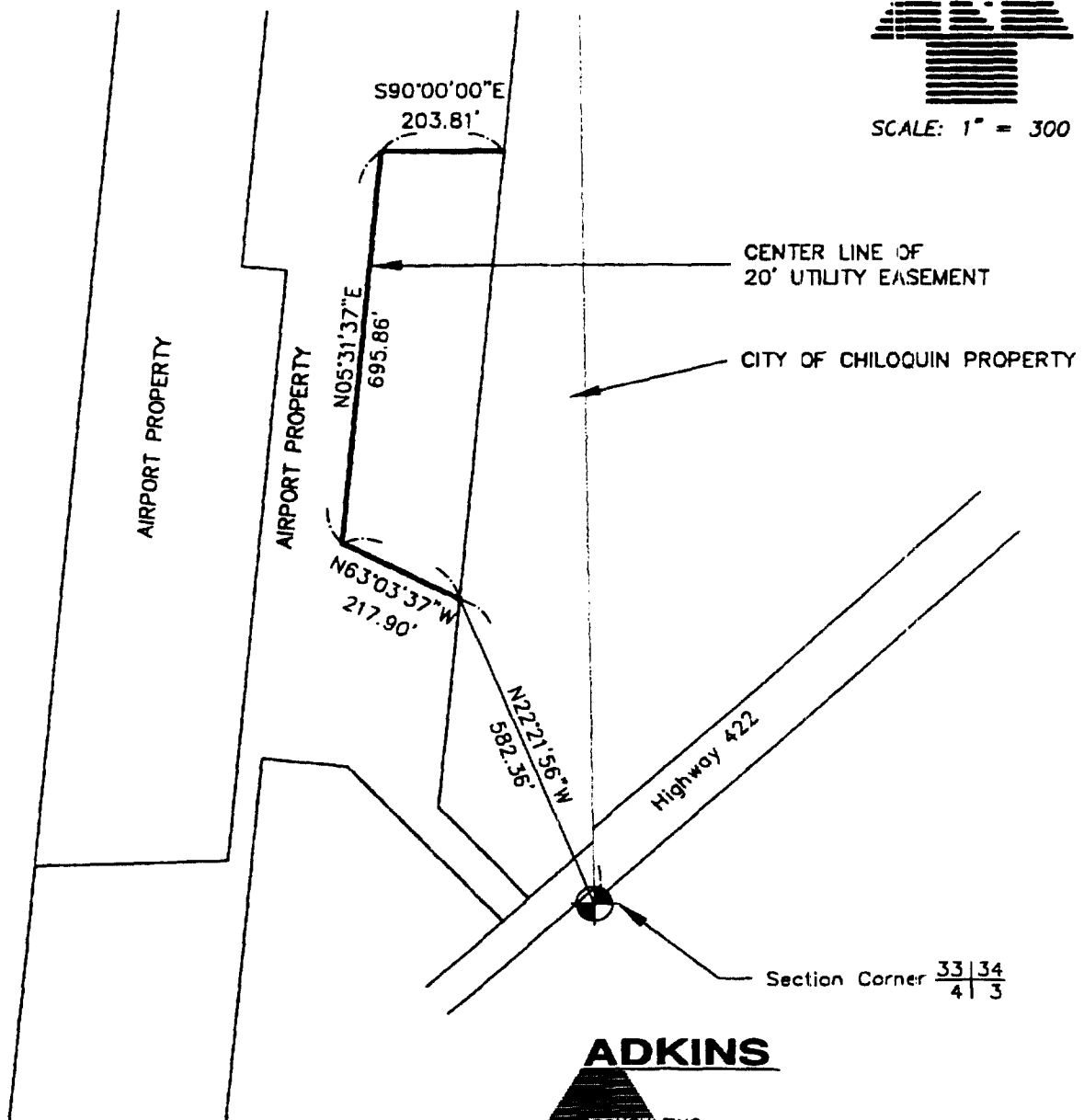
47397

Utility Easement Description Map Chiloquin Airport

for the City of Chiloquin
KLAMATH COUNTY, OREGON
Sec 33, T. 34 S., R. 07 E., W.M.



SCALE: 1" = 300



ADKINS

CONSULTING
ENGINEERS, INC.

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2950 Shasta Way • Klamath Falls, Oregon 97603

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Klamath Falls, OR • Medford, OR • Alturas, CA

Exhibit C

State of Oregon, County of Klamath

Recorded 09/18/01 at 1:31 p.m.

In Vol. M01 Page 47397

Linda Smith,

County Clerk

Fee \$ 51.00