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OVERHANGING AND ENCROACHMENT EASEMENT

THIS AGREEMENT, made on the 16 day of January, 1981,  
by WILLIAM S. FLESHER and ANN E. FLESHER, husband and wife (herein  
called "Grantor"), and LYNN R. POPE (herein called "Grantee").

WHEREAS, Grantor represents and warrants that they own and have  
fee simple title to that certain parcel of real estate located in the  
County of Klamath, State of Oregon, more particularly described as  
follows:

Township 40 South, Range 11 East of the Willamette Meridian:

Sec. 28: N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$

Sec. 29: N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

WHEREAS, the Grantee desires an easement thirty (30) feet in width  
along the southerly line of said property for the purposes of permitting  
Grantee's circle irrigation system to overhang and encroach upon said  
real property for the benefit of Grantee's real property described in  
Deed recorded October 1, 1980, in Book M-80, Page 18980, Records of  
Klamath County, Oregon, to which recorded instrument reference is hereby  
made for more particulars.

NOW, THEREFORE, it is mutually agreed as follows:

Grantor does hereby grant, assign and set over to Grantee an ease-  
ment of thirty (30) feet in width along the southerly line of Grantor's  
above-described real property for the purposes of permitting Grantee's  
circle irrigation system to overhang and encroach upon said Grantor's  
real property for the benefit of Grantee's real property referred to  
in above-described recorded Deed.

Except as herein granted, the Grantor shall continue to have full  
use and enjoyment of the property.

Grantee shall bear full responsibility for the use and enjoyment of  
the property and shall hold Grantor harmless from any claim of damages  
to person or premises resulting from the use, occupancy and possession  
thereof by Grantee.

IN WITNESS WHEREOF, the parties hereto have duly executed this  
agreement.

William S. Flesher  
WILLIAM S. FLESHER

Ann E. Flesher  
ANN E. FLESHER

Lynn R. Pope  
LYNN R. POPE

WCS

Return to: Ant-Kalls

STATE OF OREGON    )  
                          ) ss:  
County of Klamath )

Before me personally appeared WILLIAM S. FLESHER and ANN E. FLESHER, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

DATED: January 16, 1980.

Susan K. Meeker  
my com. exp. 3-8-83

STATE OF OREGON    )  
                          ) ss:  
County of Klamath )

Before me personally appeared LYNN R. POPE and acknowledged the foregoing instrument to be his voluntary act and deed.

DATED: January 16, 1980.

Susan K. Meeker  
my com. exp. 3-8-83