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WTC-65105 KR

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AFTER RECORDING, RETURN TO:
AmeriTitle
300 Klamath Avenue
Klamath Falls OR 97601

State of Oregon, County of Klamath
Recorded 05/24/2004 11:19 a m
Vol M04 Pg 32629-30
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

SEND TAX STATEMENTS TO:

DEED OF PERSONAL REPRESENTATIVE

Michele Ross, the duly appointed, qualified, and acting personal representative of the estate of Agnes Inez Pickering, Klamath County Circuit Court Case No. 0303182 CV, Grantor, conveys to Barry E. Baer and Virginia A. Baer, husband and wife, Grantees, all of the estate's interest in and to the real property situated in Klamath County, Oregon, described as follows:

Lot 57 of Pleasant Home Tracts, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, ~~Klamath County, Oregon, ten feet wide, adjacent to and along the northerly boundary line of said Lot 56 from the northwest corner of Lot 56 to the northeast corner of Lot 56, for the purpose of installing, maintaining, replacing, and operating a buried irrigation pipeline, pump, and utility lines for the purpose of diverting water from the existing irrigation canal located on or adjacent to the westerly boundary of said Lot 56, and delivery to the land conveyed hereby.~~ WKR

Together with an easement on, under, and across Lot 56 of Pleasant Home Tracts, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, ten feet wide, adjacent to and along the northerly boundary line of said Lot 56 from the northwest corner of Lot 56 to the northeast corner of Lot 56, for the purpose of installing, maintaining, replacing, and operating a buried irrigation pipeline, pump, and utility lines for the purpose of diverting water from the existing irrigation canal located on or adjacent to the westerly boundary of said Lot 56, and delivery to the land conveyed hereby.

Grantees shall exercise their rights under this easement in a manner that does not unreasonably interfere with the use by Grantor, her successors, and assigns, of said Lot 56. Said pipeline shall be buried a minimum of 18 inches below the existing surface of Lot 56, and the pipeline and appurtenant utility lines, irrigation pump, and other equipment installed by Grantees shall be installed in a safe and workmanlike manner in compliance with all relevant laws, codes, and regulations. In the event that Grantees fail to maintain and operate the said irrigation pipeline and appurtenant equipment in a safe and workmanlike manner, or in the event that Grantees otherwise breach the terms of this easement, then Grantor shall provide Grantees not less than ten days written notice of such breach, and if Grantees fail to cure the breach within ten days thereafter, Grantor may terminate this easement by recording a Notice of Termination of Easement in the records of the Clerk of Klamath County, Oregon. Further, if Grantor gives a notice of default and Grantees cure the default within said ten-day period, but the default reoccurs within 12

2600 am

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months thereafter, Grantor without further notice, may terminate this easement. Following the installation of said pipeline, utility line, pump, and other appurtenant equipment, Grantees shall return the surface of Lot 56 to the grade existing prior to installation of said pipeline. Grantor agrees that Grantor shall not construct any improvement on the easement that unreasonably interferes with Grantees' use of the easement for the purposes specifically set forth above.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this conveyance is \$25,000.

DATED: 5 / 20, 2004.

Michele M. Ross Personal Rep
Michele Ross, Personal Representative of the
Estate of Agnes Inez Pickering

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on the 20th day of May, 2004
by Michele Ross as personal representative of the estate of Agnes Inez Pickering.

Pamela J. Spencer
Notary Public for Oregon
My commission expires: 8/16/2004

