

*pt of
Craig Ditman*

**Jeld-Wen Timber & Ranches
401 Harbor Isles Blvd.
Klamath Falls, OR 97601**

M06-12629

Klamath County, Oregon

06/20/2006 11:54:30 AM

Pages 5 Fee: \$41.00

Return To:

DOCUMENT TITLE: EASEMENT DEED

GRANTOR: JELD-WEN, inc

GRANTEE: Kla-Mo-Ya Casino

ABBREVIATED LEGAL:

ASSESSORS PARCEL NO.:

KNOWN BY ALL MEN BY THESE PRESENTS

That: JELD-WEN, inc., an Oregon Corporation, grantor(s), for an in consideration of the sum of Five Thousand Dollars (\$5,000.00), in hand paid by Kla-Mo-Ya Casino, grantee, the receipt whereof is hereby acknowledged, do hereby give and grant unto said grantee, its successors and assigns, a perpetual easement and right of access through and across the following described real property, to wit:

A strip of land over and across the hereinafter described Parcel "A."
Said piece of land being described as: Situated in a portion of government lots 16 and 17, section 16, township 35 south, range 7 east, Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the initial point, said point being a 1" iron pipe, per record of survey no. 4982, referencing the center one quarter of section 16; thence along the east-west center section line, north 89°11'37" west, 1052.07 feet to a point on the easterly right-of-way of highway 62, said point being referenced by a 5/8" iron pin, per record of survey no. 4982; thence leaving said easterly right-of-way, north 89°11'37" west, 113.80 feet to a point on the westerly right-of-way of highway 62; thence leaving said westerly right-of-way, north 89°11'37" west, 163.66 feet to a 5/8" iron pin, per record of survey no. 6446; thence north 89°11'37" west, 25.00 feet; thence leaving said east-west center section line, north 00°48'23" east, 25.00 feet; thence south 89°11'37" east, 113.66 feet; thence north 00°48'23" east, 25.00 feet; thence south 89°11'37" east, 47.63 feet to a point on the westerly right-of-way of highway 62; thence leaving said westerly right-of-way, south 89°11'37" east, 113.78 feet to a point on the easterly right-of-way of highway 62; thence leaving said easterly right-of-way, south

89°11'37" east, 77.38 feet; thence south 00°48'23" west, 25.00 feet; thence south 89°11'37" east, 1002.07 feet; thence south 00°48'23" west, 25.00 feet to the initial point, excepting there from the portion lying within the right-of-way of said highway 62.

Said tract contains 0.78 acres, more or less.

Bearings are based on the Oregon state plane coordinate system, south zone.

(See Exhibit A for map.)

For the purpose of constructing, installing, maintaining and operating a sewer line with the right of ingress and egress to said sewer line.

In consideration of said easement, and as acknowledged below, Kla-Mo-Ya Casino agrees to return the above-described property, following completion of the sewer line, to a condition substantially similar, or better, than its current condition. Kla-Mo-Ya Casino also agrees to assume any and all liability in any way relating to the above-described property including, but not limited to, the construction and maintenance of the sewer line and will hold JELD-WEN, inc. and its subsidiaries, agents, successors and assigns harmless thereon.

Signed this 18th day of MAY, 2006

JELD-WEN, inc., by

Name:

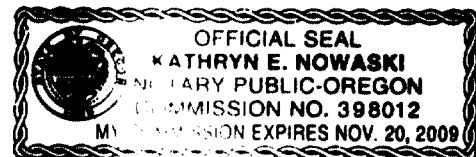
Title:

State of Oregon)
) SS
County of Klamath)

On this day personally appeared before me, a Notary Public, Craig B. Dutman
to me known to be the Genl Mgr J W Timber + Products Div of JELD-
WEN, inc. that executed the foregoing instrument, and acknowledged said instrument to
be the free and voluntary act and deed of said corporation, for the uses and purposed
therein mentioned, and on oath stated that he is authorized
to execute said instrument.

Given under my hand and seal this 18th day of May, 2006.

Kathryn E. Nowaski
Notary Public in and for the State of Oregon
Residing at Klamath Falls, Oregon
My appointment expires 20 Nov 2006



Accepted by Kla-Mo-Ya Casino, by

Karlyn M. Rich
Name:
Title: President, Kla-Mo-Ya Casino

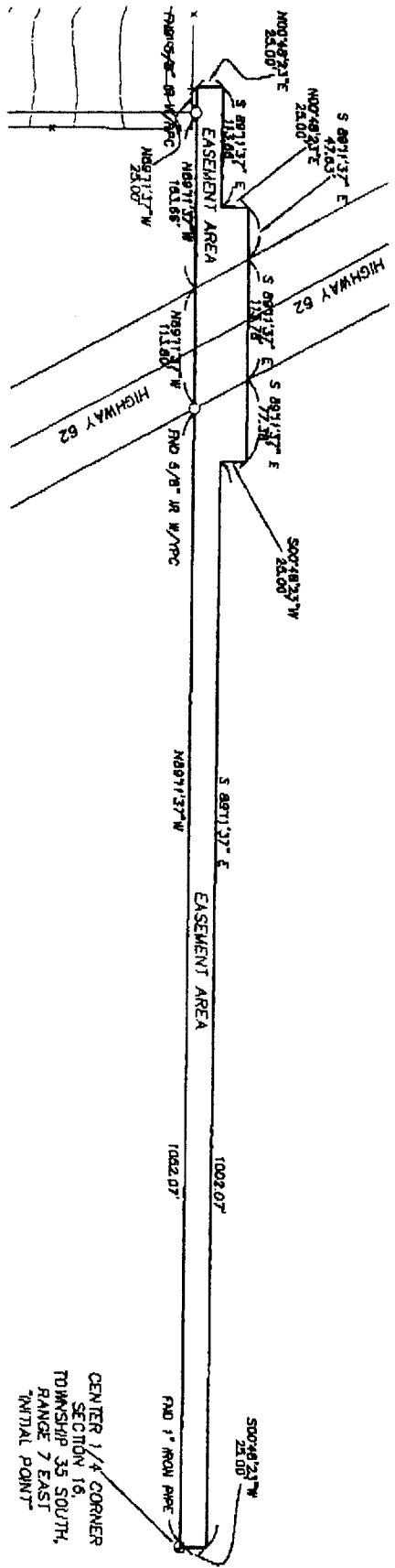
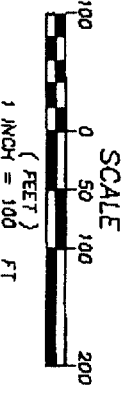
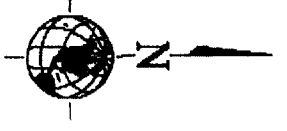
State of Oregon)
) SS
County of Klamath)

On this day personally appeared before me, a Notary Public, Kathy Rich
_____ to me known to be the president of Kla-Mo-
Ya Casino that executed the foregoing instrument, and acknowledged the acceptance of
said instrument to be the free and voluntary act of said Kla-Mo-Ya Casino, for the uses
and purposed therein mentioned, and on oath stated that
Kathy Rich is authorized to execute said instrument.

Given under my hand and seal this 1st day of June, 2006.

Lynda L Crocker
Notary Public in and for the State of Oregon
Residing at Chiloquin, Klamath County Oregon
My appointment expires 6-4-08





NOTES
1. BASE OF BEARING ARE BASED ON THE GREEN STATE PLANE
COORDINATE SYSTEM SOUTH ZONE.
2. EASEMENT AREA CONTAINS 2.76 ACRES, MORE OR LESS.

CENTER 1/4 CORNER
SECTION 16,
TOWNSHIP 35 SOUTH,
RANGE 7 EAST
INITIAL POINT

DESIGNED BY:	CHIEF OF:
DRAWN BY:	APPROVED BY:
LAST DATE:	PLOT DATE:
DATE BY	REVISION
1	

BLAINE FALLS

FORCE MAIN EASEMENT AREA

SCALE: 1"=100'

PROJECT NO. 31728

DRAWING FILE NAME: 31728-SURV-BM00

H&M
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