

MT013910-0814
Grantor: Wong Potatoes, Inc.

2008-012102
Klamath County, Oregon



00052267200800121020040042

08/28/2008 03:08:47 PM

Fee: \$36.00

Grantee: State of Oregon and
Richard J. Walsh

After Recording Return to:
Richard J. Walsh
5541 Sylvia Ave.
Klamath Falls, OR 97601

EASEMENT AGREEMENT

STATE OF OREGON)
) ss.
County of Klamath)

Wong Potatoes, Inc. , its heirs, assigns and successors, henceforth, "Grantor", being the owner of the following real property.


Legal Description: See attached Exhibit "A"

AND, the State of Oregon and Richard J. Walsh, their heirs, assigns and successors, henceforth, "Grantee", being the owner of real property adjoining or adjacent to the above cited property, which said property is described as follows:

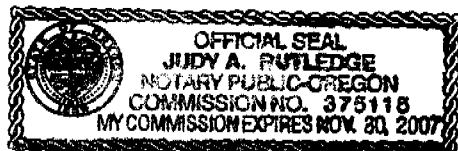
Legal Description: See attached Exhibit "B"

AND Grantor, DOES HEREBY GRANT to Grantee, his heirs and assigns, a perpetual, non-exclusive easement for a pump and a buried irrigation pipeline running from a point located in pond approximately half way along the westerly boundary of that portion of the property described on Exhibit "A" that is in Section 8, Township 40 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and then running along the westerly boundary of the property described on Exhibit "A" to the northwest corner of the property described on Exhibit "A", said easement being 20 feet in width.

The consideration for this Agreement is the other than money.

 for Wong Potatoes, Inc.
GRANTOR

SUBSCRIBED AND SWORN to before me this 2 day of November 2007 by Daniel Chin who is known to me to be the identical person described in and who executed the above instrument, and who acknowledged to me that he executed the same freely and voluntarily on behalf of Wong Potatoes, Inc.




Notary Public for Oregon
My Commission Expires: 11/20/07

AMERITITLE has recorded this Instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

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EXHIBIT "A"

A tract of land situated in Sections 8 and 17, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon being more particularly described as follows:

Beginning at a point on the North line of said Section 17 from which the Northwest Corner of said Section 17 bears N. $89^{\circ}49'21''$ W., 30.00 feet; thence S. $00^{\circ}05'09''$ E. parallel to the West line of said Section 17, 256.00 feet; thence S. $89^{\circ}49'21''$ E. parallel to the North line of said Section 17, 2379 feet more or less to the Mean High Water Line of Lost River; thence Northerly on said Mean High Water Line the following courses and distances; N $15^{\circ}12'02''$ E, 324.30 feet; N. $09^{\circ}32'48''$ E., 223.70 feet; N. $16^{\circ}32'48''$ W., 370.44 feet; and N. $25^{\circ}02'09''$ W., 424.66 feet; thence leaving said Mean High Water Line, N. $89^{\circ}49'21''$ W., 2211.42 to a point lying 30.00 feet East of the West Line of said Section 8, thence S. $00^{\circ}16'30''$ W. parallel to the West line of said Section 8, 1016.92 feet to the point of beginning.

EXHIBIT "B"

The North 256 feet of the NW1/4NW1/4 of Section 17, Township 40 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon and the SW1/4SW1/4 of Section 8, Township 40 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, EXCEPT the following portion thereof:

Commencing at the Northwest corner of said SW1/4SW1/4, Section 8, Township 40 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon; thence South along the West line of said quarter section, a distance of 10 rods; thence East parallel with the North line of said quarter section, a distance of 40 rods; thence South parallel with the West line of said quarter section; 8 rods; thence East parallel with the North line of said quarter section, 40 rods to the East line of said quarter section; thence North 18 rods to the Northeast corner of said quarter section; thence West along the North line of said quarter section to the place of beginning.

AND except the following property:

Beginning at a point on the North line of said Section 17 from which the Northwest Corner of said Section 17 bears N. $89^{\circ}49'21''$ W., 30.00 feet; thence S. $00^{\circ}05'09''$ E. parallel to the West line of said Section 17, 256.00 feet; thence S. $89^{\circ}49'21''$ E. parallel to the North line of said Section 17, 2379 feet more or less to the Mean High Water Line of Lost River; thence Northerly on said Mean High Water Line the following courses and distances; N $15^{\circ}12'02''$ E, 324.30 feet; N. $09^{\circ}32'48''$ E., 223.70 feet; N. $16^{\circ}32'48''$ W., 370.44 feet; and N. $25^{\circ}02'09''$ W., 424.66 feet; thence leaving said Mean High Water Line, N. $89^{\circ}49'21''$ W., 2211.42 to a point lying 30.00 feet East of the West Line of said Section 8, thence S. $00^{\circ}16'30''$ W. parallel to the West line of said Section 8, 1016.92 feet to the point of beginning containing 70.22 acres more or less.

**AFFIDAVIT CONSENTING
TO THE GRANTING OF AN EASEMENT**

NORTHWEST FARM CREDIT SERVICES, FLCA, depose and say they are the holders of the Trust Deed given to secure an indebtedness on the real property described in Volume M01 at page 585, Microfilm Records of Klamath County, Oregon, dated December 20, 2000 and recorded January 5, 2001; Executed by Wong Potatoes, Inc., a corporation; Daniel G. Chin and Deloris D. Chin, Trustees of the Chin Family Living Trust, under Trust Agreement dated 4-22-96, Daniel G. Chin and Deloris D. Chin, Husband and wife. Also a Trust Deed given to secure an indebtedness on the real property described in Volume 2008 at page 011805, Microfilm Records of Klamath County, Oregon, dated August 20, 2008 and recorded August 20, 2008; Executed by Wong Potatoes, Inc., a corporation; Daniel G. Chin and Deloris D. Chin, Trustees of the Chin Family Living Trust, under Trust Agreement dated 4-22-96,

The undersigned do hereby approve of the terms set forth in said easement for a pump and buried irrigation pipelines

Dated this 28 Day of August, 2008


NORTHWEST FARM CREDIT SERVICES, FLCA

By: 

Witnessed before me on the 28th Day of August, 2008

By Mitchell K. Stokes as Relationship Manager of
NORTHWEST FARM CREDIT SERVICES, FLCA as their voluntary act and deed.




Notary Public for the State of Oregon