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2009-003364

Klamath County, Oregon



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03/09/2009 01:06:39 PM

Fee: \$26.00

After recording return to:

Rhine-Cross Group LLC
112 N 5th St - Suite 200
Klamath Falls, OR 97601

**CREATION OF AN IRRIGATION EASEMENT
IN THE NE1/4 OF SECTION 4, TOWNSHIP 41 SOUTH, RANGE 11 EAST, W.M.
KLAMATH COUNTY, OREGON**

KNOW ALL MEN by these presents that Frank F. Diaz, Juliana I. Diaz, Delyle D. Diaz and Danielle M. Diaz, grantors, do hereby create the following 20.00 foot wide irrigation ditch easement over and across a portion of that property owned by the grantors, described in DV2008-016471. The irrigation ditch easement is described in Exhibit "A" attached hereto and made a part hereof.

Said easement is for the benefit and appurtenant to the NW1/4 NE1/4 of said Section 4, its owners, heirs, successors and assigns in interest, with the right of ingress and egress on the property covered by said easement for the purpose of inspecting, repairing, replacing, and maintaining, said irrigation ditch; provided that in the event of damage to adjacent premises, the party causing the damage shall repair same and place said premises in as good condition as they were immediately prior to such damage. Grantors agree not to erect any structures within the easement area, or in any other way inhibit access to the irrigation ditch.

IN WITNESS WHEREOF, the grantor has executed this instrument this 6th day of March, 2009.

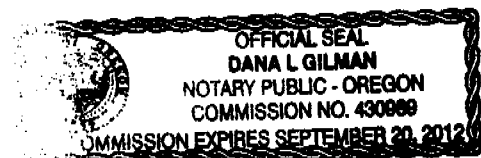
Frank F. Diaz
Frank F. Diaz
Delyle D. Diaz
Delyle D. Diaz

Juliana I. Diaz
Juliana I. Diaz
Danielle M. Diaz
Danielle M. Diaz

**State of Oregon
County of Klamath**

This instrument was acknowledged before me on the 6th day of March, 2009 by Frank F. Diaz, Juliana I. Diaz, Delyle D. Diaz and Danielle M. Diaz, as their voluntary act and deed.

Dana L Gilman Notary Public for Oregon
My Commission expires Sept 20 2012



IRRIGATION DITCH EASEMENT DESCRIPTION
EXHIBIT "A"

A 20.00 foot wide irrigation ditch easement over and across a strip of land situated NE1/4 of Section 4 Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, said strip of land lying 10.00 feet on each side of the following described centerline:

Beginning at the intersection of two existing irrigation ditches located in the SE1/4 NE1/4 of said Section 4, said ditch intersection being S.25°00'31"W, 2300.97 feet from the northeast corner of said Section 4; thence S.84°11'06"W., 357.38 feet; thence N.00°24'56"E., 409.61 feet; thence N.36°39'43"W., 85.84 feet; thence N.01°26'57"W., 135.97 feet; thence N.69°58'53"E., 8.96 feet; thence N.00°18'38"E., 160.17 feet, more or less, to the intersection of said centerline and the south line of the NW1/4 NE1/4 of said Section 4, said intersection being S.42°51'14"E., 1884.73 feet, more or less, from the north ¼ corner of said Section 4; Said intersection point being the end of this centerline description, with the sidelines of said 20.00 foot strip of land being shortened or lengthened to end on the south line of the NW1/4 NE1/4 of said Section 4, Basis of Bearings is Grid North, based upon the Oregon State Plane Coordinate System of 1983, south zone.