

RECORDING REQUESTED BY:

Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Amesbury
MTC

2015-002137

Klamath County, Oregon

03/11/2015 11:06:01 AM

Fee: \$67.00

WHEN RECORDED MAIL TO:

Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825
Attn: JKeeler, MP-450

**SUBORDINATION AGREEMENT
AND CONSENT TO EASEMENT**

KNOW ALL MEN BY THESE PRESENT that Umpqua Bank, whose address is Central Coast Commercial Loan Center, C/O Loan Support Services, PO Box 1580 Roseburg, Oregon 97470, as Beneficiary under that certain Deed of Trust dated March 6, 2014, and executed by Jason P. Nash, Trustor, to AmeriTitle, an Oregon Corporation, as Trustee, said Deed of Trust being recorded on March 7, 2014 as Instrument No. 2014-001964 of the official records of the Klamath County, State of Oregon, does hereby SUBORDINATE its interest under said Deed of Trust and CONSENTS TO that certain perpetual Easement (Contract No. 13-LC-20-0331) granted to the United States of America, its agents and assigns by Jason P. Nash for the purpose of access, operating, maintain, and repairing the Upper Dry Lake Lateral, as described on the attached Exhibit "A" and shown on the map at Exhibit "B".

WHEREAS, said parcel being a portion of the premises described in aforesaid Deed of Trust, the undersigned Beneficiary hereby waives the priority of said Deed of Trust in favor of said perpetual easement to the same extent as if the easement had been executed, delivered, and recorded prior to said Deed of Trust and agrees that any sale made under the provisions of said Deed of Trust shall be subject to said perpetual easement.

Nothing herein is intended to affect or diminish the security interest of the Beneficiary in the real property. This agreement shall be binding upon the Beneficiary, their successors and assigns, and shall inure to the benefit of the United States of America, its agents and assigns.

Said perpetual Easement conveyed to the United States of America, its agents and assigns was recorded on MARCH 11, 2015 as Instrument No. 2015-002129 of the Official Records of Klamath County, State of Oregon. The Bureau of Reclamation is hereby authorized to fill in the blanks for the recording data of the said perpetual Easement after execution and before recordation of this instrument.

Dated this 29th day of January, 2015

SUBORDINATOR

Mark Keeler

Umpqua Bank

5/10

Exhibit A

LEGAL DESCRIPTION FOR CANAL EASEMENT

A portion of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, Section 24, Township 39 South, Range 11 East, Willamette Meridian, County of Klamath, State of Oregon, being a 120 foot wide strip of land, the centerline of which is more particularly described as follows:

Beginning at a Point on the westerly line of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 24, from which the Southwest corner of said Section 24 bears the following two courses:

- 1) South $0^{\circ}41'56''$ West 1200.39 feet;
- 2) South $89^{\circ}14'53''$ East 3955.05 feet;

Thence from the Point of Beginning, South $89^{\circ}06'01''$ East, 1657.69 feet to the point of termination.

Containing 4.57 acres of land, more or less.

The sidelines to be either shortened or lengthened to close on the end lines.

The bearings shown herein are based upon the Oregon Coordinate System of 1983 (based upon NAD 83, epoch 2007.00), South Zone. All distances are in U.S. Survey Feet.

Written by:

Mark Morberg, PLS 88003

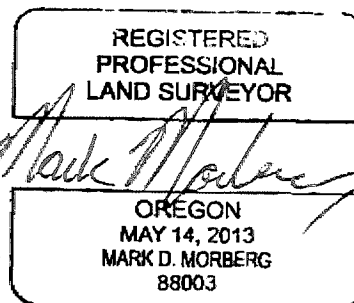
Chief, Surveys and Mapping Branch

Bureau of Reclamation, Mid-Pacific Region

2800 Cottage Way (MP220)

Sacramento, CA 95825

Tel (916) 978-5306



EXPIRATION DATE: 12/31/14

11/21/2014

T. 39 S., R. 11 E., W.M.

RECLAMATION
Managing Water in the West

BASIS OF BEARINGS:
NAD 1983 (2007)
STATE PLANE COORD.
OR SOUTH ZONE

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
MAY 14, 2013
MARK D. MORBERG
88003

EXPIRATION DATE: 12/31/14

11/21/2014

Klamath County
Map Tax Lot Number—
R-3911-00000-05800-000

P.O.B.

4.57 acres

S89°06'01"E
1657.69'

120'

60'

SE ¼ of SW ¼

Klamath County
Map Tax Lot Number—
R-3911-00000-06000-000

SW ¼ of SE ¼

Found 3"
Brass Cap
LS 2040

S 0°41'56" W
1200.39'

S89°14'53"E
3955.05'

23 24
26 25

24 19
25 30

LEGEND

P.O.B. POINT OF BEGINNING



SECTION CORNER

EASEMENT BOUNDARY

APPROXIMATE SECTION LINE

APPROXIMATE SIXTEENTH
SECTION LINE

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

CANAL EASEMENT

DATE

11/21/2014

SCALE

1" = 500'

DRWN BY

MP

CHKD BY

MM

SHEET NO.

1 OF 1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of San Luis Obispo)

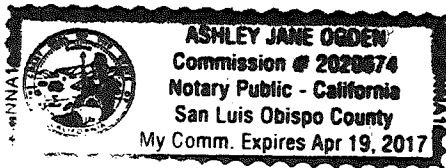
On January 29, 15 before me, Ashley Jane Ogden, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Mark Pearce
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Ashley J. Ogden
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Subordination Agr. Document Date: _____

Number of Pages: 3 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Mark Pearce

☒ Corporate Officer — Title(s): Vice President

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: Umpqua Bank

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____