

RECORDING REQUESTED BY:

Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

WHEN RECORDED MAIL TO:

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

MTG
2015-002138
Karl Wittstrom

2015-002138

Klamath County, Oregon

03/11/2015 11:06:01 AM

Fee: \$77.00

**SUBORDINATION AGREEMENT
AND CONSENT TO EASEMENT**

KNOW ALL MEN BY THESE PRESENT that Karl Wittstrom and Cindy Wittstrom, as Beneficiary under that certain Deed of Trust dated April 2, 2014, and executed by Jason P. Nash, Trustor, to AmeriTitle, an Oregon Corporation, as Trustee, said Deed of Trust being recorded on April 7, 2014 as Instrument No. 2014-002961 of the official records of the Klamath County, State of Oregon, does hereby SUBORDINATE his 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".

WHREAS, 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 1/26/15 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 26 day of January, 2015

SUBORDINATOR

Karl Wittstrom

Karl Wittstrom

6700



Cindy Wittstrom

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.

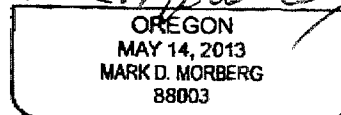
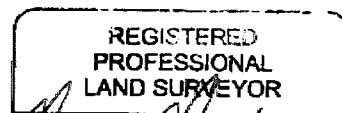
Containing 4.57 acres of land, more or less.

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

Exhibit B

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
Mark Morberg
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'

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'

120'

60'

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

FILE: KB40 - Nash Disposal.dwg

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 26th, 2015 before me, Kristi Terry, notary public
Date Here Insert Name and Title of the Officer

personally appeared Karl Wittstrom
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 Kristi Terry
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: _____ Document Date: _____

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

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

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 ObispoOn January 29, 2015 before me, Kristi Terry, notary public
Date Here Insert Name and Title of the Officerpersonally appeared Cindy Dee Wittstrom
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 Kristi Terry
Signature of Notary Public

Place Notary Seal Above

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☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____