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11/27/2017 12:32:49 PM

Fee: \$67.00

After Recording, Return To:

Green Diamond Resource Company
Attn: General Counsel
1301 Fifth Avenue, Suite 2700
Seattle, WA 98101-2613

Returned at Counter

Space above reserved for recorder

AMENDMENT TO EASEMENT

This Amendment to Easement (the "Amendment to Easement"), is made effective as of October 24, 2017, by and between Green Diamond Resource Company, a Washington corporation ("Green Diamond"), and Cheryl L. Madsen ("C. Madsen"), Craig W. Smith and Deborah R. Smith, Trustees of the Craig W. and Deborah R. Smith Revocable Living Trust (the "Smith Trust") (C. Madsen and the Smith Trust are hereinafter collectively referred to as Madsen and Smith). Green Diamond and Madsen and Smith are collectively referred to herein as "Parties."

RECITALS

A. Richard A. Smith and Geneva A. Smith, husband and wife ("Grantor") and Jeld-Wen, Inc., an Oregon Corporation ("Grantee") entered into that certain Easement dated December 9, 1980 as recorded December 10, 1980 in the records of Klamath County, Oregon in Vol. M80 of Deeds, at Page 23894 (the "Original Easement"), the terms and conditions of which are incorporated herein by reference.

B. Madsen and Smith are each a successor to Grantor and Green Diamond is successor to Grantee under the Original Easement.

C. Madsen and Smith and Green Diamond hereby desire to amend the Original Easement and delete a portion of road located in the SE ¼ SE ¼ of Section 9, and the SW ¼ SW ¼ of Section 10, both in Township 40 South, Range 13 East, Willamette Meridian, Klamath County, Oregon.

D. Madsen and Smith and Green Diamond additionally hereby desire to amend the Original Easement to add a portion of road in the N ½ NE ¼ of Section 16 in Township 40 South, Range 13 East, Willamette Meridian, Klamath County, Oregon.

E. Unless otherwise defined herein, all capitalized terms used in this Amendment to Easement shall have the same meanings as such terms are given in the Original Easement.

AGREEMENT

In consideration of the mutual covenants and provisions contained in the Original Easement and herein, and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. The Original Easement is hereby amended to delete a portion of road located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, both in Township 40 South, Range 13 East, Willamette Meridian, Klamath County, Oregon and approximately as shown on Exhibit A to this Amendment (the "Deleted Portion").

2. The Original Easement is hereby amended to add a portion of road located along the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 16, both in Township 40 South, Range 13 East, Willamette Meridian, Klamath County, Oregon (the "New Portion").

3. Notwithstanding the foregoing, and for valuable consideration received, Madsen and Smith, successor to Richard A. Smith and Geneva A. Smith, husband and wife ("Grantor") conveys and grants to Green Diamond, successor to JELD-WEN, Inc., an Oregon Corporation, its successors and assigns ("Grantee"), a perpetual nonexclusive easement to use a road which presently exists on and passes across the following described land owned by Grantor:

The E $\frac{1}{2}$ SW $\frac{1}{4}$ and the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 9; and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 16, both in Township 40 South, Range 13 East, Willamette Meridian, Klamath County, Oregon.

Both the Deleted Portion and the New Portion are more particularly shown in **Exhibit A** to this Amendment to Easement and are hereinafter combined with the Original Easement and referred to as (the "Easement Area").

Green Diamond shall have a right to use the Easement Area for motor vehicle, pedestrian and utility access to enable Green Diamond to use, manage, and develop Green Diamond's own property benefited by this grant of easement (the "Authorized Use"). The rights herein granted extend to Green Diamond, and its successors, assigns, employees, agents, contractors, and invitees.

4. Except as expressly modified herein, the terms and provisions of the Original Easement remain in full force and effect.

5. The persons who have executed this Amendment to Easement represent and warrant that they are duly authorized to execute this Amendment to Easement in their individual or representative capacity as indicated.

SIGNATURES CONTINUED ON THE FOLLOWING PAGE.

IN WITNESS WHEREOF, the parties have executed this Amendment to Easement as of the date written above.

C. Madsen:

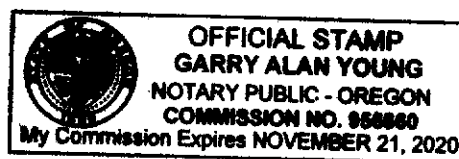
Cheryl L. Madsen
Cheryl L. Madsen

Date: 10-24-17

STATE OF OREGON)
COUNTY OF Klamath) ss:

This instrument was acknowledged before me on 10-24, 2017 by Cheryl L. Madsen.

[Signature]
Notary Public – State of OREGON



IN WITNESS WHEREOF, the parties have executed this Amendment to Easement as of the date written above.

The Smith Trust:

Craig W. and Deborah R. Smith Revocable Living Trust

Sign: Craig W. Smith, trustee
By: Craig W. Smith, Trustee

Date: 10/24/2017

Sign: Deborah R. Smith, Trustee
By: Deborah R. Smith, Trustee

Date: 10/24/2017

STATE OF OREGON)
COUNTY OF Klamath) ss:

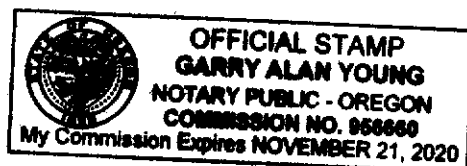
This instrument was acknowledged before me on 10-24, 2017 by Craig W. Smith as Trustee of the Craig W. and Deborah R. Smith Revocable Living Trust.

[Signature]
Notary Public - State of OREGON

STATE OF OREGON)
COUNTY OF Klamath) ss:

This instrument was acknowledged before me on 10-24, 2017 by Deborah R. Smith as Trustee of the Craig W. and Deborah R. Smith Revocable Living Trust.

[Signature]
Notary Public - State of OREGON



IN WITNESS WHEREOF, the parties have executed this Amendment to Easement as of the date written above.

GREEN DIAMOND:

**GREEN DIAMOND RESOURCE COMPANY,
a Washington corporation**

By:  *rs*

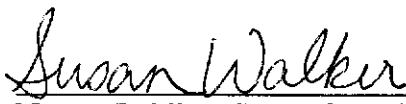
Name: Douglas S. Reed

Title: President

Date: 10-31-17

STATE OF Washington)
) ss:
COUNTY OF King)

This instrument was acknowledged before me on 10-31-2017, 2017 by DOUGLAS S. REED as President of Green Diamond Resource Company, a Washington corporation.


Notary Public – State of Washington

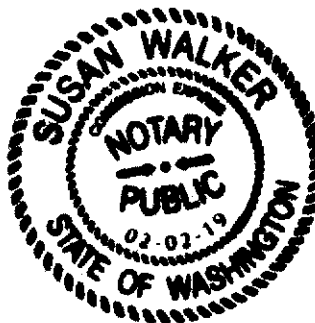


EXHIBIT A EASEMENT AREA

09

Existing Easement

New Easement

Deleted Easement

West Langel Valley Road

10

17

Legend

 Green Diamond Resource Company Property

Smith_Easement


 Deleted Easement

 Existing Easement

 New Easement

 West Langel Valley Rd

 Township

 Sections



0 0.125 0.25 0.5 N
Miles

Date: 5/17/2017

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