

BOOK 48 PAGE 364

AMENDMENT TO EASEMENT
TO USE WATER FROM SPRING

WHEREAS,

by a document entitled "EASEMENT TO USE WATER FROM SPRING" recorded in Lincoln County on JANUARY 10, 1963, Book 231, Page 130, GLENN E. PAULSON and INA LOUISE PAULSON and ROY SJOSTROM and DOROTHY SJOSTROM granted to ALSEA RIVER ENTERPRISES, a California Limited Partnership, certain rights to draw and use water from a certain spring located on a parcel of land situated in Lincoln County, State of Oregon and described as follows:

That part of the South half of the West half of the Northwest quarter of the Southwest quarter of Section 27, Township 13 South, Range 10 West of the Willamette Meridian in Lincoln County, Oregon, lying Southwesterly of the Alsea Highway right-of-way in Lincoln County, Oregon.

Along with certain exclusive rights to install and maintain the necessary water works and pipe lines in connection with the development of said spring, and

WHEREAS,

INA LOUISE PAULSON and RONALD E. PAULSON and KEITH E. PAULSON are now the sole owners of the fee interest title to said land, and,

WHEREAS,

ALSEA RIVER ENTERPRISES, OREG. LTD. is the successor in interest of ALSEA RIVER ENTERPRISES, a California Limited Partnership, to said easement, and,

WHEREAS,

ALSEA RIVER ENTERPRISES, OREG. LTD. has constructed said water works and pipe lines, and,

WHEREAS,

ALSEA RIVER ENTERPRISES, OREG. LTD. has assigned its interest in said easement to THE ALSEA RIVER WATER IMPROVEMENT DISTRICT, and

WHEREAS,

it is now the desire of all of the parties hereto to amend the Easement To Use Water From Spring by elimination from said easement all lands other than those hereinbelow described.

NOW THEREFORE, it is agreed between the parties hereto, that the legal description set forth in said Easement is hereby replaced by a legal description as follows:

An easement for the purpose of taking and using water from a spring and installing and maintaining a water works and pipeline system, located in the Southwest one-quarter (S.W. $\frac{1}{4}$) of Section 27, Township 13 South, Range 10 West of the Willamette Meridian, Lincoln County, Oregon. Said parcel of land being more particularly described as follows:

Beginning at the initial point of "Alsea Riviera" as recorded in Record of Plats, Lincoln County, Oregon, said point being North 1354.3 feet and West 389.3 feet from the Meander corner between Sections 28 and 27; thence North 77°16'00" East along the Northerly boundary line of said Alsea Riviera and said Northerly boundary line extended Easterly a distance of 373.80 feet to a point on the centerline of Alsea River Highway (Oregon State Highway No. 34); thence South 27°58'00" East along said centerline a distance of 274.23 feet; thence North 28°42'39" East a distance of 59.84 feet to a point on the Easterly right-of-way line of said Alsea River Highway and the true point of beginning of the parcel of land herein described.

Thence South 27°58'00" East along the Easterly right-of-way line of said Alsea River Highway a distance of 76.14 feet to a point of curve; thence along a spiral curve to the right an arc distance of 15.51 feet (the long chord of said spiral curve bears South 27°57'32" East a distance of 15.51 feet); thence North 17°00'39" East a distance of 160.50 feet; thence North 69°29'39" East a distance of 43.34 feet; thence North 29°54'51" East a distance of 110.21 feet; thence South 44°01'09" West a distance of 22.88 feet; thence South 07°33'21" East a distance of 46.98 feet; thence South 28°42'39" West a distance of 137.06 feet to the true point of beginning.

Said parcel of land contains an area of 0.275 acres.

Also an easement reserved for access to said "Alsea Riviera" spring and water works system. Said easement being 12.00 feet in width, six (6.00) feet on either side of the two following described centerlines.

ACCESS EASEMENT NO. 1

Beginning at the true point of beginning of the previously described "Alsea Riviera Spring and Water Works Easement"; thence North 28°42'39" East a distance of 137.06 feet; thence North 07°33'21" West a distance of 46.98 feet; thence North 44°01'09" East a distance of 22.88 feet; thence North 60°05'09" East a distance of 6.00 feet to the true point of beginning of the following described centerline:

Thence South 29°54'51" East a distance of 110.21 feet; thence South 13°04'50" East a distance of 255.23 feet to a point terminating said easement centerline.

ACCESS EASEMENT NO. 2

Beginning at the true point of beginning of the previously described "Alsea Riviera Spring and Water Works Easement"; thence South 27°58'00" East a distance of 76.14 feet to a point of curve; thence along a spiral curve to the right an arc distance of 15.51 feet (the long chord of said spiral curve bears South 27°57'32" East a distance of 15.51 feet); thence North 17°00'39" East a distance of 160.50 feet; thence North 69°29'39" East a distance of 5.07 feet to the true point of beginning of the following described centerline:



Recorder By
Pioneer National
Title Insurance Company

Thence South 19°06'21" East a distance of 162.34 feet; thence South 29° 19'51" East a distance of 90.87 feet; thence South 11°37'55" East a distance of 218.93 feet; thence South 45°09'05" West a distance of 57.16 feet to a point on the Easterly right-of-way line of said Alsea River Highway and a point terminating said easement centerline.

IT IS FURTHER AGREED that all other terms and conditions of said Easement shall remain in full force and effect.

Ina Louise Paulson
INA LOUISE PAULSON
Ronald G. Paulson
RONALD G. PAULSON
Keith E. Paulson
KEITH E. PAULSON

ALSEA RIVER ENTERPRISES, OREG. LTD.
A Limited Partnership
BY: EVERGREEN ENTERPRISES, INC.
General Partner
BY: *Eugene H. York*
Eugene H. York, President
THE ALSEA RIVIERA WATER IMPROVEMENT DISTRICT
BY: *Virgil A. Jackson*
Virgil A. Jackson, President

STATE OF OREGON, County of Lincoln) ss.
April 3, 19 74
Personally appeared Eugene H. York JES
who, being duly sworn,
each for himself and not on behalf of the other, did say that the former is the
president and that the latter is the
General Partner of
Evergreen Enterprises, Inc. a corporation,
and that the seal affixed to the foregoing instrument is the corporate seal
of said corporation and that said instrument was signed and sealed in the
presence of said corporation by authority of its board of directors, and each of
them acknowledged said instrument to be their voluntary act and deed.
Notary Public for Oregon
My Commission expires: 5-18-77

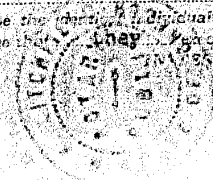
STATE OF OREGON, County of Lincoln) ss.
April 3, 19 74
Personally appeared Virgil A. Jackson JES
who, being duly sworn,
each for himself and not on behalf of the other, did say that the former is the
president and that the latter is the
General Partner of
Riviera Water Improvement District a corporation,
and that the seal affixed to the foregoing instrument is the corporate seal
of said corporation and that said instrument was signed and sealed in the
presence of said corporation by authority of its board of directors, and each of
them acknowledged said instrument to be their voluntary act and deed.
Notary Public for Oregon
My Commission expires: 18 Nov 1980

STATE OF OREGON,
County of Lincoln) ss.

FORM NO. 25 - ACKNOWLEDGMENT
STEVENS-NESS LAW PUBL. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 3rd day of April 1974,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within
named Ina Louise Paulson, Ronald G. Paulson, and Keith E. Paulson

known to me to be the persons whose names are subscribed in and who executed the within instrument and
acknowledged to me that they executed the same freely and voluntarily.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.
W. L. Eckfeld
Notary Public for Oregon.
My Commission expires: 5-18-77

25873

MICROFILM

STATE OF OREGON,
COUNTY OF LINCOLN,

Produce of the
State of Oregon,
County of Lincoln,
to-wit: *Apple*
and *Pears*
and *Walnuts*
and *Almonds*
and *Cherries*
and *Plums*
and *Strawberries*
and *Raspberries*
and *Blackberries*
and *Blueberries*
and *Gooseberries*
and *Cranberries*
and *Apples*
and *Pears*
and *Walnuts*
and *Almonds*
and *Cherries*
and *Plums*
and *Strawberries*
and *Raspberries*
and *Blackberries*
and *Blueberries*
and *Gooseberries*
and *Cranberries*

Alvin M. ...
James ...

Return to:
Wesley Rice Embroider
73-14 Lehighville
Chickadee, Calif. 92008
Q. Check \$6.00