

16293

1-24-67 6338

THIS INDENTURE made and entered into this 8th day of August, 1967, by and between TED A. CARLSON and PEGGY P. CARLSON, husband and wife, hereinafter called "the party of the first part," and CRESCENT WATER AND SEWER SERVICE ASSOCIATION, a cooperative, hereinafter called "the party of the second part,"

W I T N E S S E T H:

That for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) cash in hand paid, the receipt of which is hereby acknowledged, the parties of the first part have this day bargained and sold, and by these presents do bargain, sell, convey, transfer, and deliver unto the party of the second part, a permanent easement and right of way, including the perpetual right to enter upon the real estate hereinafter described, at any time that it may see fit, and construct, maintain, and repair underground pipelines and/or mains for the purpose of conveying water and sewage over, across, through, and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of said pipelines and/or mains, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said pipelines and/or mains.

The land affected by the grant of this easement and right of way is located in the County of Klamath, and State of Oregon, and is more particularly described by metes and bounds, as follows:

A tract of land situated in the SE 1/4 of the SW 1/4 of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, being more particularly described as follows: Beginning at the intersection of the Easterly line of Main Street and the Southerly line of Ward Street in the Town of Crescent, Oregon. According to the recorded plat thereof: thence South 39°49'

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West along the Easterly line of Main Street for a distance of 278.21 feet; thence at right angles South 50°11' East a distance of 120 feet; thence at right angles South 39°40' West a distance of 50 feet; thence at right angles South 50°11' East a distance of 100 feet; thence at right angles North 39°49' East a distance of 5 feet to the true point of beginning of this description; thence at right angles South 50°11' East a distance of 279 feet; thence at right angles North 39°49' East a distance of 134 feet; thence at right angles North 50°11' West a distance of 209 feet; thence at right angles South 39°49' West a distance of 9 feet; thence at right angles North 50°11' West a distance of 70 feet; thence at right angles South 39°49' West a distance of 125 feet to the true point of beginning of this description; excepting a strip 20 feet wide and 125 feet long bordering on the West side of the tract herein conveyed, ALSO

Beginning at a point of East line of Main Street and the Southerly line of Ward Street, in the Town of Crescent, Oregon, according to the official plat thereof; thence running Southerly along East side of Main Street, 278.21 feet; thence at 90° Easterly of Main Street; thence 120 feet South parallel with Main Street 20 feet to the point of beginning; thence 90° East 100 feet; thence at right angles South 30 feet; thence at right angles West 90° 100 feet; thence North 30 feet to the point of beginning.

The easement and right of way hereby granted covers a strip of land fifteen (15) feet in width over and across the above described land.

TO HAVE AND TO HOLD said easement and right of way unto the party of the second part, and unto its successors and assigns forever.

The party of the first part does hereby covenant with the party of the second part that they are lawfully seized and possessed of the real estate above described, that they have a good and lawful right to convey it, or any part thereof, that it is free from all encumbrances, and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

As a part of the consideration for this grant, the party of the first part does hereby release any and all claims for damages from whatsoever cause incidental to the exercise of the rights herein granted, except damages to growing crops.

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WITNESS the first party's hand and seal the day
and year first above written.

Ted A. Carlson

Peggy P. Carlson

STATE OF OREGON)
)ss.
County of Klamath)

August 8, 1967

Personally appeared the above-named TED A CARLSON and
PEGGY P. CARLSON, husband and wife, and acknowledged the foregoing
instrument to be their voluntary act and deed.

Before me:

Margaret Stumbach
Notary Public for Oregon
My Commission expires 4/30/70

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of _____
this _____ day of _____, 1967, at _____ o'clock _____ M.

duly recorded in Vol. _____, of _____, on Page _____

DOROTHY ROGERS, County Clerk

By Jane M. Rogers