

## - EASEMENT -

THIS INDENTURE, made and entered into this 21 day of Nov., 1967, by and between LEWIS A. KAEHN and JUNE L. KAEHN, 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 party,"

## 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, and other good and valuable consideration, 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 party, 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 the 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 S $\frac{1}{2}$  of Section 36, Township 24 South, Range 8, East of the Willamette Meridian, more particularly described as follows: Beginning at a point that is North 880 feet, and East 1200 feet from the Southwest corner of the SE  $\frac{1}{4}$ ; thence continuing East to the westerly right of way line of the Dalles-California Highway as now located; Thence northeasterly along the westerly line of said highway to its intersection with the north line of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; thence West along said line to a point that is 1200 feet east of the north and south center line of the said section; Thence south 440 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.

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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 it is lawfully seized and possessed of the real estate above described, and that it has 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 of 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.

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

Lewis A. Kaehn (SEAL)  
Lewis A. Kaehn

June L. Kaehn (SEAL)  
June L. Kaehn

STATE OF OREGON )  
County of Klamath } ss.

On this 21<sup>st</sup> day of November, 1967, before me appeared LEWIS A. KAEHN and JUNE L. KAEHN, both to me personally known, who, being duly sworn, did say that they each executed the foregoing instrument as their voluntary act and deed for the purposes therein set forth.

Marylee J. Stumbaugh  
Notary Public for Oregon  
(SEAL)  
My Commission Expires: MY COMMISSION EXPIRES 1-31-70

STATE OF OREGON, } ss  
County of Klamath  
Filed for record at request of  
Donald Crane  
On this 30 day of November, A. D. 19 67  
at 11:00 o'clock P. and duly  
recorded in Vol. M-67 of Deeds  
Page 9212  
DOROTHY ROGERS, County Clerk  
By Marylee Stumbaugh Deputy  
Fee 3.00

Ret. R. Buehly

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