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EASEMENT

THIS AGREEMENT, made and entered into this 30th day of September, 1960, by and between Lucy M Hosie and Robert Hosie, husband and wife, hereinafter called the first party, and ^{Mary} Lucille Graham, a married woman, hereinafter called the second party.

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid to the first party, the receipt of which is hereby acknowledged, the first party has this day bargained and sold, and by these presents does hereby grant, bargain, sell, convey and transfer unto the second party, an easement and right of way to take and use water from the water well now located and situate on the following described real property in the County of Klamath and State of Oregon, to-wit:

SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying South of Highway in Section 10, T 41-S, R. 11-E, W M and/or

NW $\frac{1}{4}$ of SE $\frac{1}{4}$ lying North of Great Northern Railroad tracks in Section 10, T 41-S, R. 11-E, WM,

for domestic and beauty shop business use upon the following described real property in the County of Klamath and State of Oregon, to-wit:

Beginning at a point where the North boundary line of the Klamath Falls-Malin Highway, sometimes called The Dalles-California Highway, intersects the West line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, Tp. 41 S. R. 11 E. W. M.; thence East along the North line of the said Highway right of way 200 feet; thence North to the South right of way line of the U. S. Government Canal, being the canal first encountered in going North; thence Westerly along the Southerly right of way line of the said canal to the West line of the said SE $\frac{1}{4}$ NE $\frac{1}{4}$, said above section, Township and Range; thence Southerly along the West line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, of said Section 10 to the point of beginning, containing 1.10 acres, more or less.

Excepting any portion thereof lying within existing roadways, ditches, canals and/or laterals,

together with an easement and right of way under and across the above described real property of the first party for a water pipe line for the purpose of conveying water from said water well to the above-described real property of the second party, and the right to enter in and upon the above-described real property of the first party for the

RICHARD J. SMITH
ATTORNEY AT LAW
FIRST FEDERAL SAVINGS
AND LOAN BLDG.
KLAMATH FALLS, ORE.
TUXEDO 2-2934

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1 purpose of inspecting, maintaining, repairing and replacing the said
2 water pipe line.

3 To Have and To Hold the said easement and right of way unto the
4 second party and her heirs and assigns forever.

5 It is understood and agreed by the parties hereto that the sec-
6 ond party, her heirs and assigns shall pay to the first party, their
7 heirs and assigns the sum of \$5.00 per month for each and every month
8 commencing with the date first written above toward the cost of the
9 operation and maintenance of said water well and the pumping equip-
10 ment, and that the parties hereto shall contribute ratably in accord-
11 ance with the quantity of water used towards the cost of the necess-
12 ary capital repairs, replacement and improvement of the said water
13 well and pumping equipment. In the event the second party, her heirs
14 or assigns fail to make payment as heretofore set forth, and said pay-
15 ment is delinquent for a period of more than thirty days, then, the
16 easement and right of way to take and use water and easement for a
17 water pipe line as hereinabove set forth may be terminated at the
18 option of the first party, their heirs and assigns.

19 IN WITNESS WHEREOF, the parties hereto have hereunto set their
20 hands and seals the day and year first written above.

21 Lucy M. Hosie

22 Robert Hosie

23 Mary Lucille Graham

24 STATE OF OREGON; COUNTY OF KLAMATH; ss.

25 Filed for record at request of FIRST FEDERAL SAVINGS & LOAN ASSN.,
26 this 24th day of JUNE A. D. 1970 at 9:16 o'clock A. M., and duly recorded in
27 Vol. M. 70, of Deeds on Page 5142

Fee \$3.00

WM. D. MILNE, County Clerk
By Kazel Orsail deputy

RICHARD J. SMITH
ATTORNEY AT LAW
FIRST FEDERAL SAVINGS
AND LOAN BLDG.
KLAMATH FALLS, ORE.
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Rel to Mrs Mary L. Graham, Star Route, Merrill, Oregon

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