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WELL AGREEMENT

THIS AGREEMENT, made and entered into this 8 day of December 1971, by and between DONALD L. STEERS and HAZEL FERN STEERS, husband and wife, hereinafter called STEERS, and WILLIAM E. KAFTON and JANICE B. KAFTON, husband and wife, hereinafter called KAFTON.

W I T N E S S E T H:

WHEREAS, Steers are the owners of a tract of land situate in Klamath County, Oregon, more particularly described as follows:

A parcel of land in Section 32, Township 39 South, Range 10 E.W.M., being more particularly described as follows: Beginning at the intersection with the East line of the W 1/2 NW 1/4 NE 1/4 of Section 32, Township 39 South, Range 10 E.W.M. and the South right-of-way line of the Hill Road; thence S. 89°52' West along the South right-of-way line of the Hill Road 762 feet to the true point of beginning of this description; thence S 89°52' West 30 feet; thence S. 0°08' East 550 feet; thence N 89°52' East 445 feet; thence N. 0°08' West 170 feet; thence S. 89°52' West 415 feet; thence N. 0°08' West 180 feet to the point of beginning, containing 2 acres more or less.

WHEREAS, there is a well located upon the Steers' property as follows:

Section 32, Township 39 South, Range 10 East of the Willamette Meridian, more particularly described as follows: Beginning at the intersection with the East line of the W 1/2 NW 1/4 NE 1/4 of Section 32, Township 39 South, Range 10 East of the Willamette Meridian and the South right-of-way line of the Hill Road; thence S 89°52' W along the South right-of-way line of the Hill Road 792 feet; thence S 0°08' East 320 feet, thence S 60° East 360 feet to the well.

WHEREAS, LOYAL G. GARBODEN and ELIZABETH E. GARBODEN, husband and wife, are owners of a parcel of land, subject to a water line easement, described as follows:

A parcel of land in Section 32, Township 39 South, Range 10 East, W.M.; more particularly described as follows: Beginning at the Northwest corner of the NE 1/4 NW 1/4 of Section 32, Township 39 South, Range 10 East, W.M.; thence East along the North line of the NE 1/4 NW 1/4 405.0 feet to the true point of beginning; thence East along the North line of the NE 1/4 NW 1/4 805.0 feet; thence South parallel to the West line of NE 1/4 NW 1/4 495.0 feet; thence West parallel to the North line of the NE 1/4 NW 1/4 125.0 feet; thence South parallel to the West line of the NE 1/4 NW 1/4 825.0 feet to the South line of the NE 1/4 NW 1/4; thence West along the South line of the NE 1/4 NW 1/4 265.5 feet; thence N. 58°W. 210.0 feet; thence N. 78° W, 119.5 feet;

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thence N. 85° W. 120.1 feet; thence North parallel to the West line of the NE 1/4 NW 1/4 1173.4 feet to the point of beginning, containing 21.1 acres more or less and SUBJECT TO a 20 foot easement for a water line being 10 feet on either side of the following described center line beginning at the Northwest corner of the NE 1/4 NW 1/4 of Section 32, Township 39 South, Range 10 East, W.M.; thence East along the North line of the NE 1/4 NW 1/4 405 feet; thence South parallel to the West line of the NE 1/4 NW 1/4 330 feet to the true point of beginning; thence East parallel to the North line of the NE 1/4 NW 1/4 805.0 feet.

WHEREAS, KAFTON is the owner of a tract of land situate in Klamath County, Oregon, described as follows:

A parcel of land in Section 32, Township 39 South, Range 10 East of the Willamette Meridian, more particularly described as follows: Beginning at the Northwest corner of the NE 1/4 NW 1/4 of Section 32, Township 39 South, Range 10 East, W.M.; thence South along the West line of the NE 1/4 NW 1/4 490.0 feet; thence East parallel to the North line of the NE 1/4 NW 1/4 205.0 feet; thence North parallel to the West line of the NE 1/4 NW 1/4 490.0 feet; thence West along the North line of the NE 1/4 NW 1/4 205.0 feet to the point of beginning, less a 60 foot right-of-way for Hill Road and subject to a 30 foot road easement lying Southerly and adjacent to the Hill Road, and a 15 foot easement along the East side of the parcel described.

WHEREAS, the parties hereto desire to covenant for the joint use and maintenance of said well, which covenant shall attach to and run with the above described properties.

NOW, THEREFORE, it is mutually agreed by the parties hereto as follows:

1. That the ownership for the above described well shall belong to Steers, however, Kafton shall be entitled to remove water in sufficient quantity for domestic use upon his property hereinabove described.
2. Steers shall maintain the well, pump and pipe line to the edge of his property. Kafton shall maintain the pipe line upon his property.
3. By this agreement Kafton conveys to Steers a water line easement situate in Klamath County, Oregon, described as:

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A 20 foot easement for a water line being 10 feet on either side of the following described center line beginning at the Northwest corner of the NE 1/4 NW 1/4 of Section 32, Township 39 South, Range 10 East, W.M.; thence East along the North line of the NE 1/4 NW 1/4 205.0 feet; thence South parallel to the West line of the NE 1/4 NW 1/4 330.0 feet to the true point of beginning; thence East parallel to the North line at the NE 1/4 NW 1/4 1005.00 feet; thence S. 60° East 360.0 feet.

4. This agreement will terminate five (5) years from the date of this agreement.

IN WITNESS WHEREOF the respective parties have executed this instrument the day and year first hereinabove written.

Donald L Steers
Hazel Jane Steers
W. E. Kafton
Janice B. Kafton

STATE OF OREGON)
) ss.
 County of Klamath)
Dec 8, 1971.

Personally appeared the above named DONALD L. STEERS and HAZEL FERN STEERS, husband and wife, and acknowledged the foregoing instrument to be their voluntary act. Before me:

William E. Swaney
 Notary Public for Oregon
 My Commission expires: 9-15-73

STATE OF OREGON)
) ss.
 County of Klamath)
Dec 8, 1971.

Personally appeared the above named WILLIAM E. KAFTON and JANICE B. KAFTON, husband and wife, and acknowledged the foregoing instrument to be their voluntary act. Before me:

William E. Swaney
 Notary Public for Oregon
 My Commission expires: 9-15-73

STATE OF OREGON; COUNTY OF KLAMATH; ss.
 Filed for record at request of Klamath County Title Co.

this 13th day of December A. D., 19 71 at 3:22 o'clock P M., and duly recorded in
 Vol. M71 of Deeds on Page 13056

Fee \$4.50

By WM. D. MILNE, County Clerk
 Cynthia C. Angell

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