

EASEMENT

KF-74-48

KNOW ALL MEN BY THESE PRESENTS, that W. ALAN BOWKER and
LENIS M. BOWKER, husband and wife, and MELVIN L. STEWART and MARY LOU
STEWART, husband and wife, of the County of Klamath, State of Oregon,
hereinafter called the Grantors in consideration of the sum of Ten Dollars
(\$10.00) to them paid by OREGON WATER CORPORATION, a public utility of the
State of Oregon, hereinafter called the Grantee, the receipt of which is
hereby acknowledged, hereby grant, bargain, sell and convey unto the Grantee,
its successors and assigns, a perpetual easement ten (10) feet in width for
the purpose of laying, constructing, operating, maintaining, changing,
relocating, removing and/or replacing one or more mains or pipelines, with
necessary or desirable appurtenances thereto, for the transmission and
distribution of water for all useful purposes upon, over and across adjacent
real property of the Grantors in the NE 1/4 of the NE 1/4 of Section 11,
T. 39S. R. 9 EWM., described as follows:

A strip of land ten (10) feet in width, five (5) feet
on each side of the following described centerline:
Beginning at a point on the Westerly Right of Way line
of Homedale Road which is South 0° 20' West, a distance
of 84.00 feet from the Southerly Right of Way line of
the O. C. & E. Railroad Right of Way, which point is
also the N.E. corner of Lot 2A, Homedale Subdivision;
Thence North 72° 54' 53" West, a distance of 101.64 feet;
Thence North 62° 34' 34" West, a distance of 187.25 feet,
to a point on the West boundary of Lot 2A Homedale Sub-
division, which point is located South 38° 43' 30" West,
a distance of 78.82 feet and North 66° 39' 30" West, a
distance of 155.46 feet from the Northeast corner of Lot 1,
Homedale Subdivision.

Together with the right of ingress to and egress upon and across
the adjacent real property of the Grantors, using present and future roads
thereon to the extent available, and with the right to clear and keep clear
each and every part of said easement, all for the purpose of exercising in
any and all respects the rights hereby granted.

PROVIDED, that all mains and pipelines shall be laid on said
easement not less than two and one-half (2-1/2) feet below the surface of

13654

the ground, and in all operations such surface shall be restored as nearly as may be practicable to its original condition. Grantors reserve and retain the right to cultivate or otherwise use said easement in any manner or for any purpose which does not interfere with, or is not inconsistent with the proper exercise of the rights therein hereby granted to the Grantee, but the Grantors shall in no event construct or maintain nor permit the construction or maintenance of any buildings or other structures upon or above said easement in such manner as to prevent reasonable access thereto, or to permit the construction of any parallel sanitary sewer within six (6) feet of any part of this easement.

And the Grantors covenant that they are lawfully seized in fee simple of the above granted real property free from all encumbrances, and they will and their heirs, executors and administrators shall warrant and forever defend the above granted real property and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have hereunto set their hand and seal this 18th day of October, 1974.

Albert Stewart (Seal)

Mary Lou Stewart (Seal)

W. Alan Bowker (Seal)

Lenis M. Bowker (Seal)

STATE OF OREGON)
COUNTY OF KLAMATH) ss

On this 18th day of October, 1974 personally appeared the above named W. Alan Bowker and Lenis M. Bowker, and Melvin L. Stewart and Mary Lou Stewart, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Mary J. Cotton
Notary Public for Oregon

My Commission Expires: March 30, 1975

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of OREGON WATER CORPN

this 18th day of OCTOBER A. D. 1974 at 2:51 o'clock P.M. and duly recorded in

Vol. M-74 of DEEDS on Page 13653

FEE \$ 4.00

WM. D. MILNE, County Clerk

By Hazel Majil Deputy