

14339

EASEMENTVol. 76 Page 7939

KNOW ALL MEN BY THESE PRESENTS, that WILLIAM T. and PAULINE E. MERRILL, husband and wife, in the County of Klamath, State of Oregon, hereinafter called the GRANTORS, in consideration of the sum of Ten (10) Dollars 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 twenty (20) 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 of water for all useful purposes upon, over and across adjacent real property of the GRANTORS in the NW 1/4, SW 1/4, Section 15, T.39S., R9E., W.M.

A strip of land 20 feet in width, described as follows:

The westerly 20 feet of lots 1 and 2, Altamont Small Farms.

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 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

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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.

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 hands and seals this 22nd day of May 1976.

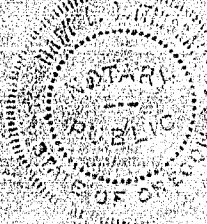
William T. Merrill (Seal)
William T. Merrill

Pauline E. Merrill (Seal)
Pauline E. Merrill

STATE OF OREGON) ss.
COUNTY OF KLAMATH)

On this 22nd day of May, 1976 personally appeared the above named William T. and Pauline E. Merrill, Husband and Wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



Marion J. Patterson
Notary Public for Oregon

My Commission Expires: March 30, 1979

Re: One Water Right
PO 034 237
City

State of Oregon, } ss,
County of Klamath }

I hereby certify that the within instrument was received and filed for record on the 28th day of May, 1976, at 8:39 o'clock A M. and recorded on Page 7939 in Book M 76 Records of DEEDS of said County.

WM. D. MILNE, County Clerk

By [Signature] Deputy

Fee \$ 6.00