

(2)

38-12259 K

27301

EASEMENT

Vol. 77 Page 5168

WHEREAS, Commander Board Or-Cal, Inc., an Oregon corporation of Klamath County, Oregon, hereby grant and convey unto EDDIE K. WELLS and MARGARET H. WELLS, husband and wife, an easement 5 feet wide and the center line of the easement shall start on the North line of Lots 7, Block 10 DIXON ADDITION, 22 feet East of the NW corner of Lot 7 running across Lot 7 in a Southwesterly direction to a point 9 feet 6 inches Southeasterly from the most Westerly corner of Lot 7 which corner is the intersection of Laguna and Old Fort Road.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That this easement is for the installation of pipe lines to the hot water well of EDDIE K. WELLS and MARGARET H. WELLS, husband and wife, and shall not be construed as granting any other rights or privileges whatsoever except as hereinafter stated.

The original well that this easement pertains to is located in and around Lots 8 and 9, Block 12, all in DIXON ADDITION, and is presently servicing Lots 4, 5, 6, of Block 10, DIXON ADDITION.

This conveyance is made on the condition that Grantees, EDDIE K. WELLS and MARGARET H. WELLS, husband and wife, their heirs and assigns shall keep and maintain the pipe and ditch in good order so that there will be no leakage to the land or premises of Commander Board Or-Cal, Inc.

In the event that there is leakage or damage to said property, EDDIE K. WELLS and MARGARET H. WELLS, husband and wife, hereby agree to pay for all costs in connection therewith.

Said pipe to be installed shall be a minimum of 4 feet in depth and said pipe is to be installed not less than 10 days from March 24, 1977.

EDDIE K. WELLS and MARGARET H. WELLS, husband and wife, shall have access for maintenance of said pipe over and across said property.

To have and to hold said right and easement to take water over, through and across the land of Commander Board Or-Cal, Inc.,

subject to the above conditions, and the heirs successors and assigns of all parties hereto shall be bound hereto forever.

DATED this 25 day of March, 1977.

David L. Terhune
DAVID L. TERHUNE (President)

Jean H. Terhune
JEAN H. TERHUNE (Secretary)

Eddie K. Wells
EDDIE K. WELLS

Margaret H. Wells
MARGARET H. WELLS

STATE OF OREGON)

County of Klamath) ss

SUBSCRIBED and SWORN to before me this 25 day of March, 1977.

Kathy A. Mallama
NOTARY PUBLIC FOR OREGON
My Commission Expires: 6-13-80

STATE OF OREGON; COUNTY OF KLAMATH; ss.

and for record at request of TRANSAMERICA TITLE INS. CO.

this 28th day of MARCH A. D. 1977 at 4:05 o'clock PM and

duly recorded in Vol. M 77 of DEEDS

Page 5168

FEE \$ 3.00

W. D. Milne
W. D. MILNE, County Clerk

Return to: *Eddie Wells*
124 Laguna, Klamath Falls, OR