

38-14422 (cop)

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That whereas THOMAS F. McGARRY and LOUISE M. McGARRY, husband and wife, hereinafter referred to as "McGarry's," are the owners of Lot 6, Block 44, 69 Hot Springs Addition to the City of Klamath Falls and Lot 12, Block 46, Hillside Addition to the City of Klamath Falls, all within Klamath County, Oregon, and;

WHEREAS, located on Lot 6, Block 44 is a geothermal well dug in 1975, and

WHEREAS, McGarry's desire to create a perpetual easement in favor of Lot 12, Block 46 to use the well located in Lot 6, Block 44, now,

THEREFORE, McGarry's hereby create and grant to Lot 12, Block 46, Hillside Addition to the City of Klamath Falls, Oregon, a perpetual easement to use and take heat from the geothermal well presently existing on Lot 6, Block 44, Hot Springs Addition to the City of Klamath Falls, Oregon, together with the right and privileges to install and maintain a heat coil and pipes necessary for the transmission of hot water from the well to the said Lot 12, subject, however, to the following conditions:

A. All structural repairs to the well shall be borne equally between the lots;

B. All transmission pipes across Lot 6, Block 44 shall be located approximately six (6) feet from the Southerly boundary thereof.

The consideration for the transfer stated in terms of dollars is -0-.

IN WITNESS WHEREOF, the parties have hereunto set their hands this 21 day of March, 1978.

Thomas F. McGarry

Louise McGarry

STATE OF OREGON)

) ss.

County of Klamath)

Personally appeared the above named Thomas F. McGarry and Louise McGarry, husband and wife and acknowledged the foregoing easement their voluntary act and deed this 21 day of March, 1978.

AFTER RECORDING, RETURN TO:
Mr. and Mrs. Thomas F. McGarry
403 Pacific Terrace
Klamath Falls, OR 97601

Donald R. Rhane
Notary Public for Oregon

My Commission expires: 6-18-78

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 11th day of April A.D., 19 78 at 3:30 o'clock P M., and duly recorded in Vol. M78 of Deeds on Page 6979.

FEE \$3.00

WM. D. MILNE, County Clerk

By Berntha A. Black Deputy

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