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K-31317

Return to Barbara Bockelman

Rt. 1, Box 752

E. Klamath, OR

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Vol. 79

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DEED OF EASEMENT

I, VIRGINIA C. HEDVEL, an unmarried individual of the County of Klamath, State of Oregon, and the owner of the real property situated in the County of Klamath, State of Oregon, more particularly described as follows:

A parcel of land situated in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 38 South, Range 11 $\frac{1}{2}$ East of the Willamette Meridian, more particularly described as follows: Beginning at the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 34; thence North 89° 41' West a distance of 873 feet; thence North a distance of 30 feet to an iron pin on the North line of the Dairy-Bonanza Highway, said point being 30 feet North of the Southwest corner of that tract of land described in Deed Volume 170, page 175, Klamath County Deed Records; thence North 89° 41' West along the North line of said highway a distance of 53.05 feet to a $\frac{1}{2}$ inch iron pin; thence North 03° 14' East a distance of 105.31 feet to a $\frac{1}{2}$ inch iron pin on the True Point of Beginning of this description; thence North 47° 54' East a distance of 65.49 feet to a $\frac{1}{2}$ inch iron pin in the centerline of the Horsefly Irrigation Ditch, said point being in the Easterly line of that land described in Deed Volume 333, page 607, Klamath County Deed Records; thence North 09° 12' West a distance of 54.96 feet to an iron pin on the Southerly line of the Klamath Falls-Lakeview Highway; thence Southwesterly along the Southerly line of said highway to an iron pin that bears South 61° 25' West a distance of 97.68 feet from the last mentioned point; thence South 22° 02' East a distance of 72.28 feet to an iron pin (this distance is 72.78 feet by the description in said deed recorded); thence North 47° 54' East a distance of 26.86 feet to the True Point of Beginning of this description, EXCEPTING THEREFROM any portion of the above-described property lying within the highways right-of-ways.

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

In consideration of the receipt of a deed of driveway easement, which Barbara Bockelman has promised to give me, I hereby grant, bargain, sell and convey to Barbara Bockelman of the County of Klamath, State of Oregon, hereinafter called grantee, the following easements:

- (1) An easement for the construction and maintenance of two septic tank leach lines, which easements shall be 85 feet long and 24 feet wide, as follows: Commencing at the Northeast corner of the above-described real property, thence Southeasterly along grantor's

DEED OF EASEMENT (1)

Northwest property line 65 feet to the true point of beginning;
 thence South 85 feet to a point; thence West 24 feet to a point;
 thence North 85 feet to a point; thence Northeasterly along grantor's
 Northwest boundary to the true point of beginning;

(2) An easement 8 feet wide, the centerline of which shall follow the course of the existing water line which extends from the existing well on the property above described belonging to Virginia C. Heuvel to the existing residential or office building situated on the real property hereinafter described as the dominant property.

These easements are for the benefit and appurtenant to that land or any portion thereof in the County of Klamath, State of Oregon, described as follows:

Beginning at the point where the centerline of the Horsefly Irrigation Ditch intersects the West boundary line of that certain tract conveyed by that certain deed recorded in Volume 170 at page 175 of Klamath County Deed Records, which said point is 148 feet North of an iron pin on the North right of way line of the Dairy-Bonanza Highway and 178 feet North of the Southwest corner of said tract conveyed by said deed recorded in Volume 170, page 175; thence Northeasterly along the center line of said Horsefly ditch to the point where it would intersect the East line of said tract conveyed by said deed in Volume 170, page 175 if extended; thence North along the East line of said tract extended to the point where it would intersect with the south right of way line of the Klamath Falls-Lakeview Highway; thence Southwesterly along the south right of way line of said highway a distance of 223 feet; thence South to the centerline of said Horsefly ditch; thence Northeasterly along the centerline of said Horsefly Ditch to the point of beginning, being a part of the NE $\frac{1}{4}$ of Section 34, Township 38 South, Range 11 $\frac{1}{2}$ E. W. M.

ALSO a tract of land situated in the NE $\frac{1}{4}$ of Section 34, Township 38 South, Range 11 $\frac{1}{2}$ East of the Willamette Meridian, more particularly described as follows:

Beginning at an iron pin in the centerline of Horsefly Irrigation Ditch, said point being North a distance of 178.0 feet from the Southwest corner of that tract of land described in Deed Volume 170, page 175, Klamath County Deed Records and said point being North 89° 41' West a distance of 872 feet and North a distance of 178 feet from the Southeast corner of the NE $\frac{1}{4}$ of said Section 34; thence North 90° 12' West a distance of 54.96 feet to an iron pin on the Southerly line of the Klamath Falls-Lakeview Highway; thence Northeasterly along the Southerly line of said

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highway a distance of 28.5 feet to a point that is Southwesterly a distance of 223 feet measured along the Southerly line of said highway from the Northeast corner of that tract of land described in Deed Volume 229 page 365, Klamath County Deed Records; thence South parallel with the Northerly extension of the West line of that tract of land described in Deed Volume 170, page 175, Klamath County Deed Records to the centerline of the Horsefly Irrigation Ditch; thence Southwesterly along the centerline of the Horsefly Irrigation Ditch to the point of beginning.

By acceptance of this Deed of Easement, grantee, her heirs, successors and assigns agree to maintain the septic tank leach lines and the existing water line hereinabove mentioned. And I, Virginia C. Heuvel, agree that as additional consideration for the driveway easement to be granted to me by Barbara Bockelman, I will furnish water to the dominant property for office or household purposes for so long as there is sufficient water in the existing well on the servient property to serve such need for an agreed price of 1/3 of the electrical bills for service to the servient property based upon service as it now exists; however, in no event shall the owners of the dominant property be required to pay a sum in excess of \$15.00 each month for the use of such water and Virginia C. Heuvel, her successors and assigns agree to maintain said existing well, pump and related equipment.

The above-described easement shall be perpetual.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of January, 1979.

Virginia C. Heuvel
Virginia C. Heuvel

STATE OF OREGON)
County of Klamath) ss.

Before me this 19th day of January, 1979, personally appeared the above-named VIRGINIA C. HEUVEL, and acknowledged the foregoing instrument to be her voluntary act and deed.

Marvin Krueger
Notary Public for Oregon
My Commission Expires: 4-18-82

STATE OF OREGON; COUNTY OF KLAMATH; ss. :

I hereby certify that the within instrument was received and filed for record on the 19th day of June A.D., 19 79 at 11:01 o'clock A M., and duly recorded in Vol. 170 of Books on Page 13867.

FEE \$0.00

WM. D. MILNE, County Clerk

By Dorothy H. Hetch Deputy