

78366

EASEMENT

Vol. ^m 79 Page 29130

Dated: December 18, 1979

In consideration of the sum of TEN and NO/100 (\$10.00) DOLLARS, BERT H. GOFF and MARGERY V. GOFF, hereinafter referred to as Grantor, conveys to THOMAS WILLIAM MALLAMS and BEVERLY S. MALLAMS, hereinafter referred to as Grantee, their heirs, successors and assigns, a perpetual non-exclusive easement to use a strip of land twenty (20) feet in width, which land is located as follows across the property of Grantor, to-wit:

A strip of land 20 feet in width lying South of and adjoining Drews Road (S-60), extending from the East line of Government Lot 1, to the East line of the Sycan River, said strip being in Government Lots 1 and 2, Section 3, Township 36 South, Range 12 E.W.M.

The terms of this easement are as follows:

1. Grantee, their agents, independent contractors and invitees shall use the easement strip for the purpose of laying, maintaining, repairing and operating a buried irrigation mainline, which mainline shall take water from the Sycan River, to the property of Grantee hereinafter described and in conjunction with such use, may go upon said property for the purpose of constructing, reconstructing, maintaining and repairing said mainline located thereon.

2. Grantor reserves the right to use, construct, reconstruct and maintain the property in said easement so long as he shall not interrupt the reasonable use by Grantee herein.

3. This easement is appurtenant to the real property owned by Grantee and described below.

4. This easement shall be perpetual; however, in the

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1 event that it is not used by Grantee for a period of ten years, or
2 or if otherwise abandoned by Grantee, the easement shall automati-
3 cally expire; and Grantee, Grantee's heirs and assigns shall upon
4 request execute a recordable document evidencing such expiration.

5 5. This easement is granted subject to all prior ease-
6 ments or encumbrances of record.

7 6. The following is a description of Grantee's property
8 to which this easement is appurtenant:

9 Parcel 1:

10 The South 1/2 of the SE 1/4 of the SW 1/4,
11 and the West 1/2 of the SW 1/4 All Section
12 35, Township 35 South, Range 12 East of the
13 Willamette Meridian, in the County of Klamath,
14 State of Oregon.

15 Parcel 2:

16 The SE 1/4 and the NW 1/4, The SW 1/4 of the
17 NE 1/4 and the W 1/2 of the SE 1/4 of the NE
18 1/4 all Section 2, Township 36 South, Range
19 12 East of the Willamette Meridian, in the
20 County of Klamath, State of Oregon.

21 IN WITNESS WHEREOF, the parties have caused this instru-
22 ment to be executed the day and year first written above.

23 Bert H. Goff
24 BERT H. GOFF

25 Margery V. Goff
26 MARGERY V. GOFF

27 Grantor

28 Thomas William Mallams
THOMAS WILLIAM MALLAMS

Beverly S. Mallams
BEVERLY S. MALLAMS

Grantee

After Recording Return to:
BLAIR M. HENDERSON
426 Main St.
Klamath Falls, OR 97601
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HENDERSON
& MOLATORE
ATTORNEYS AT LAW
426 MAIN STREET
KLAMATH FALLS,
OREGON 97601
TELEPHONES
(503) 884-7731
884-2030

29132

1 STATE OF OREGON)
 2 County of Klamath) ss.

December 18, 1979

3 Personally appeared the above named BERT H. GOFF and
 4 MARGERY V. GOFF and acknowledged the foregoing instrument to be
 5 their voluntary act and deed.

Before me:

Donna L. Stoklund
 NOTARY PUBLIC FOR OREGON
 My Commission Expires: 10-28-83

9 STATE OF OREGON)
 10 County of Klamath) ss.

December 18, 1979

11 Personally appeared the above named THOMAS WILLIAM
 12 MALLAMS and BEVERLY S. MALLAMS, and acknowledged the foregoing
 13 instrument to be their voluntary act and deed.

Before me:

Donna L. Stoklund
 NOTARY PUBLIC FOR OREGON
 My Commission Expires: 10-28-83

14 STATE OF OREGON; COUNTY OF KLAMATH; ss.
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Recorded for record of 1979 A. D. 19 79 at 2:43 clock P M., on Page 29130
 is 12th day of December, of Deeds
 duly recorded in Vol. 479, of Deeds

Fee \$10.50

Wm D. MILNE, County Clerk
By: [Signature]

HENDERSON
 & MOLATORE
 ATTORNEYS AT LAW
 426 MAIN STREET
 KLAMATH FALLS,
 OREGON 97601
 TELEPHONES
 (503) 884-7731
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