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EASEMENT GRANT

This Easement Grant is made between REX C. BECRAFT, hereinafter referred to as the Grantor, and GARRY AUBURN DUANE WEAVER and CARRIE L. WEAVER, husband and wife, hereinafter referred to as the Grantees.

RECITALS

A. The GRANTOR is the owner of a tract of land described as follows and hereinafter referred to as Parcel One:

Lot 1, Block 3, Pine Grove Ranchettes, a duly recorded subdivision in Klamath County, Oregon

B. The GRANTEES are the owners of a tract of land described in Exhibit "A" which is attached hereto and incorporated by this reference and which is hereinafter referred to as Parcel Two.

C. The GRANTOR wishes to grant and the GRANTEES wish to receive an easement over, under and across Parcel One for the construction, maintainance, replacement and repair of a sewer leech line and related structures.

Now, therefore, in consideration of the sum of one dollar, and for other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged by the GRANTOR, the following grants, agreements, and covenants are made:

1. Grant. The GRANTOR hereby grants to the GRANTEES, their heirs, executors and assigns, as an easement appurtenant to Parcel two, a perpetual and exclusive easement for ingress and egress over, under and across Parcel one for the purpose of the repair, maintainance, replacement, construction and location of a sewer leech line and related structures.

2. Use of Easement. The use of the easement is confined to the above described purposes.

3. Location of Easement. The easement shall be located on that portion of Parcel one as it currently exists on the date of this easement and on so much of the surrounding land as is reasonably necessary to repair, maintain, replace, construct and locate said sewer leech line now or in the future.

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4. Manner of Use. The GRANTEE shall be entitled to use the easement for the above purposes at such times and in such a manner as will not reasonably interfere with the GRANTOR'S use and enjoyment of Parcel one.

5. Interference. The GRANTOR hereby covenants and agrees not to interfere with the GRANTEE'S use of the easement in the manner and for the purposes afore mentioned.

6. Warranties of Title. GRANTOR warrants that he has good and indefeasible fee simple title to Parcel one, excepting only those matters which are currently on record in Klamath County and warrants that he has the right to grant the easement herein.

7. Running of Benefits and Burdens. All provisions of this instrument, including the benefits and burdens, run with the land and are binding upon and enure to the heirs, assigns, successors, tenants and personal representatives of the parties hereto.

8. Attorney Fees. Either party may enforce this instrument by appropriate legal action and should said party prevail in such litigation, said party shall recover his, hers or their reasonable attorney fees, as the court shall adjudge, including attorney fees on appeal from any judgment.

In witness hereof the GRANTOR, and the GRANTEES have hereunto set their hands and seals this 25 day of April, 1980.

Rex C. Becraft
Garry Weaver
Carrie Weaver

STATE OF OREGON)
) ss.
County of Klamath)

On this 25 day of April, 1980, personally appeared the above named, GARRY WEAVER, CARRIE WEAVER, and REX C. BECRAFT and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

James D. Henning
NOTARY PUBLIC FOR OREGON
My Commission Expires: 2-20-83

After recording return to:
Garry and Carrie Weaver
3612 Pine Grove Road
Klamath Falls, OR 97601

EXHIBIT "A"

A tract of land situated in the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 9, Township 39 South, Range 10 East of the Willamette Meridian, more particularly described as follows:

Beginning at the East $\frac{1}{4}$ corner of said Section 9; thence South 0° 08' West a distance of 608.25 feet; thence North 89° 52' West a distance of 1323.7 feet; thence North 0° 08' East a distance of 577.07 feet to an iron pin on the true point of beginning of this description; thence South 89° 55' East a distance of 211.3 feet to an iron pin; thence South 0° 08' West a distance of 164.9 feet to an iron pin; thence North 89° 55' West a distance of 211.3 feet to an iron pin; thence North 0° 08' East a distance of 164.9 feet, more or less, to the true point of beginning.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of James R. Uerlings, Atty.

this 25th day of April A. D. 1980 at 3:04 o'clock P. M., and

fully recorded in Vol. M80, of Deeds on Page 7762

W. D. MILNE, County Clerk

By Bernetha J. Helock

Fee \$10.50