

X-33077

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GRANT OF EASEMENT

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THIS AGREEMENT, Made and Entered into this 2 day of September, 1979, by and between BERNACE WILSON and HELEN WILSON, husband and wife, hereinafter referred to as First Party, and CHARLES V. SHUCK and JOANNA SHUCK, husband and wife, hereinafter referred to as Second Party;

RECITALS:

WHEREAS, the Second Party is the owner of a parcel of real property described as follows:

A piece or parcel of land situate in the East half of the Southeast Quarter of Section 32 and the West half of the Southwest Quarter of Section 33 all in Township 40 South, Range 11 East of the Willamette Meridian, and being more particularly described as follows:

Beginning at an iron pipe marking the Quarter section Corner common to Section 32 and 33, Township 40 South, Range 11 East of the Willamette Meridian; thence North $89^{\circ}35'$ East along the Eastwest centerline of said Section 33 560.7 feet to an iron pipe; thence South $0^{\circ}03\frac{1}{4}'$ East 2369.3 feet to an iron pipe; thence South $89^{\circ}56\frac{3}{4}'$ West 1870.0 feet to an iron pipe on the Easterly right-of-way boundary of the County Road as the same is presently located and constructed on the ground (said County Road right-of-way deed being recorded at pages 387 and 389, Volume 118 of the Deed Records of Klamath County); thence North along the said Easterly County Road right-of-way boundary 2364.5 feet to a point on the East-west centerline of the said Section 32; thence North $89^{\circ}55\frac{1}{2}'$ East along the East-west centerline of the said Section 32 58.0 feet to an iron pipe reference monument; thence continuing North $89^{\circ}55\frac{1}{2}'$ East 1251.1 feet, more or less, to the point of beginning; said property situated in Klamath County, Oregon;

and

WHEREAS, the First Party is the owner of a parcel of real property located immediately to the south of the parcel owned by the First Party and between Second Party's property and the McCormick-Hadley Ditch; and

WHEREAS, Second Party desires an easement across the property of the First Party in order to pump and transport irrigation water to the property above-described, now, therefore,

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IN CONSIDERATION of the sum of \$ 1.00 and other good and valuable consideration, First Party hereby grants to Second Party their heirs, successors and assigns, a perpetual easement along the Westerly edge of First Party's property sufficient to maintain an irrigation pump on the McCormick-Hadley Ditch, and to transport water from this pump to the Southwest corner of the parcel of property owned by the Second Party more particularly described above. First Party further grants to Second Party the right to enter upon their property to maintain, install and remove irrigation pipe and the irrigation pump from time-to-time.

This easement shall be appurtenant to and shall run with the parcel of property belonging to Second Party described above, and the burden of this easement shall run with the land belonging to the First Party and bind their heirs, successors and assigns.

IN WITNESS WHEREOF, Said parties hereunto set their hands the day and year first hereinabove written.

FIRST PARTY:

Bernace Wilson
BERNACE WILSON

Helen Wilson
HELEN WILSON

SECOND PARTY:

Charles V. Shuck
CHARLES V. SHUCK

Joanna Shuck
JOANNA SHUCK

STATE OF OREGON)
County of Klamath)ss.

On this 3rd day of October, 1979, personally appeared the above-named BERNACE WILSON and HELEN WILSON, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Sharon K. Green
NOTARY PUBLIC FOR OREGON
My commission expires: _____
My Commission Expires October 11, 1981

STATE OF OREGON)
County of Klamath)ss.

On this 8th day of October, 1979, personally appeared the above-named CHARLES V. SHUCK and JOANNA SHUCK, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Sharon K. Meek
NOTARY PUBLIC FOR OREGON
My commission expires: 3-8-83

Return to J.L.B.
PO 148 KF

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STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 17th day of June A.D., 1980 at 11:58 o'clock A M., and duly recorded in Vol. M80 of Deeds on Page 11103.

FEE \$7.00

WM. D. MILNE, County Clerk
By Bernatha A. Ketch Deputy