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MTC-10224

10174

Vol. M81 Page AGREEMENT

This agreement is made into on the 20th day of May 1981 by and between Roy D Clark and Gale L Clark, husband and wife, parties of the first part, and Gary R Peterson and Darlean D Peterson, husband and wife, parties of the second part.

Whereas parties of the first part are owners of property, a description of which is attached hereto marked Exhibit "A", and whereas parties of the second part are owners of property, a description of which is attached hereto, marked Exhibit "B".

A water well has been constructed on property of first part, which will supply water to the properties and homes of both parties.

It is agreed that the sum of \$3.00 will be paid by the second part to the first part no later than the fifth day of each month to cover cost of electricity incurred by the first part to operate said well. This sum to be paid will remain constant until such a time that the cost of power increases at such a rate, where an increase in the monthly sum will be necessary to operate well. Whereas at which point both parties will agree to a new monthly sum which will then become binding as being due no later than the fifth day of each month.

Whereas both parties agree to share equally in any expenses incurred for repair or normal maintenance of said well.

The first part thus gives the right to the second part to enter land for such purposes.

And whereas both parties hereby agree that said well has been constructed on said property and is for the benefit of both parties, their heirs, successors and assigns forever, and for the benefit of land, described in Exhibits A and B, attached hereto for the purpose of providing a water supply to both parcels of property.

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OF
NOV 3
MAY 1981
Ret M.T.C.

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Dated this 20th day of May 19 81.

Roy D. Clark
Roy D. Clark

Gale L. Clark
Gale L. Clark

Gary R. Peterson
Gary R. Peterson

Darlean D. Peterson
Darlean D. Peterson

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

STATE OF OREGON,

County of Klamath

ss.

BE IT REMEMBERED, That on this 20th day of May, 19 81,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within
named Roy D. Clark, Gale L. Clark, Gary R. Peterson and
Darlean D. Peterson

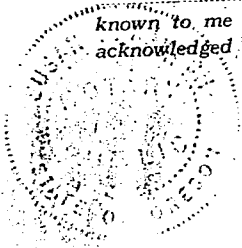
known to me to be the identical individuals described in and who executed the within instrument and
acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.

Susan K. Karvick

Notary Public for Oregon.

My Commission expires 12-6-81



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Exhibit "A"

DESCRIPTION

The premises are in Klamath County Oregon and are described as follows:

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

Beginning at an iron pin which lies North 89° 40' East along the 40 line a distance of 780.0 feet and North 1° 02' West a distance of 426.8 feet from the iron pin which marks the intersection of 4th Avenue and 4th St. of Altamont Acres, which point of intersection is also the Southwest corner of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, and running thence; North 89° 41' 13" East a distance of 216.7 feet to an iron pin which lies on the Westerly right of way line of the U.S.R.S. Drain Ditch; thence North 04° 20' 47" West 170.41 feet to the true point of beginning; thence continuing North 04° 20' 47" West 21.02 feet to a point; thence North 30° 36' 47" West 103.10 feet to a point; thence South 89° 41' 13" West 154.90 feet; thence South 01° 03' 56" East 110 feet to a point; thence North 89° 41' 13" East 206.95 feet to the point of beginning, with bearings based on Minor Partition No. 81-6.

Exhibit "B"

DESCRIPTION

A tract of land situate in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin which lies North 89° 40' East along the 40 line a distance of 780.0 feet and North 1° 02' West a distance of 707.2 feet from the iron pin which marks the intersection of 4th Avenue and 4th Street of Altamont Acres, which point of intersection is also the Southwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, and running thence North 89° 41' 13" East a distance of 154.90 feet to an iron pin which lies on the Westerly right of way line of the U.S.R.S. Drain Ditch; thence North 30° 36' 47" West along said Westerly right of way line of the U.S.R.S. Drain Ditch, a distance of 279.79 feet to an iron pin which marks the intersection of the Westerly right of way line of the U.S.R.S. Drain and the Southerly line of a 60 foot road; thence South 89° 41' 13" West along the Southerly right of way line of the 60 foot road a distance of 16.90 feet to an iron pin which lies on the Easterly right of way line of Derby Street; thence South 01° 03' 56" East along the Easterly right of way line of Derby Street a distance of 241.60 feet, more or less, to the point of beginning, said tract being in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, with bearings based on Minor Land Partition No. 81-6.

STATE OF OREGON; COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the 8th day of June A.D., 1981 at 10:56 o'clock A M., and duly recorded in

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Fee \$ 10.50

EVELYN BIEHN
COUNTY CLERK

By Debra A. Gans Deputy