

SUPPLEMENTAL HOT WATER WELL AGREEMENT

THIS SUPPLEMENTAL AGREEMENT mde this 4th day of September, 1981 between DARREL L. GRABENSTEIN and MARY E. GRABENSTEIN, husband and wife, WILLIAM N. DEETS and FRANCES M. DEETS, husband and wife, ROGER RIVENES and DELLANE RIVENES, husband and wife, and JEFFERY T. BICKFORD, hereinafter called Original Parties, and RICHARD L. ZWIENER and DOROTHY R. ZWIENER, husband and wife, hereinafter called Zwiener,

WHEREAS, the Original Parties have entered into an Agreement on the 23rd day of July, 1981 relating to development and use of a hot water well including easements therefor, located upon the East 90 feet of Lot 6, Block 30, Hot Springs Addition to the City of Klamath Falls, Klamath County, Oregon; and,

WHEREAS, RICHARD L. ZWIENER and DOROTHY R. ZWIENER are the owners of the following described premises:

Lot 2, Block 29, Hot Springs Addition to the City of Klamath Falls, Klamath County, Oregon; and,

WHEREAS, Zwieners desire to be bound by said original agreement and have the benefit thereof; and,

NOW, THEREFORE, it is mutually agreed as follows:

1. That the Agreement between the original parties dated July 23 1981 is incorporated herein and made a part hereof;
2. That the Original Parties hereby grant to Zwieners the right and privileges contained in said hot water well agreement dated the 23rd day of July, 1981 for the benefit of the herebefore described premises as if Richard L. Zwiener and Dorothy R. Zwiener were original parties thereto;
3. Zwieners agree to be bound by the terms and provisions of said Hot Water Well Agreement dated the 23rd day of July, 1981 as if they were original parties, including but not restricted to the granting of easements and the agreement to pay their proportionate share of the costs provided therein.
4. Zwieners agree to pay for the additional cost for changing the distribution system from 2" pipe to 2½" pipe and the costs and recording of this Supplemental Agreement.
5. It is acknowledged by all parties hereto that the hot water well is without priority between the premises as it relates to the heating of the dwellings and heating domestic hot water. Such uses shall have priority as to all other uses. Such other uses must be approved in writing by all of the parties.
6. This Agreement shall run with the land and be binding upon the heirs, successors and assigns of the parties hereto.

Supplemental Hot  
Water Well Agreement  
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*Ref:*  
PROCTOR, PUCKETT & FAIRCLO  
ATTORNEYS AT LAW  
280 MAIN STREET  
KLAMATH FALLS, OREGON 97601

29 11 29

IN WITNESS WHEREOF the parties hereto have set their hands  
the day and year first above written.

William N. Deets  
William N. Deets

Frances M. Deets  
Frances M. Deets

Darrel L. Grabenstein  
Darrel L. Grabenstein

Mary E. Grabenstein  
Mary E. Grabenstein

Roger Rivenes  
Roger Rivenes

Dellane Rivenes  
Dellane Rivenes

Jeffery T. Bickford  
Jeffery T. Bickford

Richard L. Zwiener  
Richard L. Zwiener

Dorothy R. Zwiener  
Dorothy R. Zwiener

STATE OF OREGON ]  
] ss.

County of Klamath ]  
Personally appeared the above-named September 8th, 1981  
WILLIAM N. DEETS and  
FRANCES M. DEETS, husband and wife, and acknowledged the fore-  
going instrument to be their voluntary act.

Before me:

[Signature]  
Notary Public for Oregon  
My Comm. expires: 9-17-82

STATE OF OREGON ]  
] ss.

County of Klamath ]  
Personally appeared the above-named September 8th, 1981  
DARREL L. GRABENSTEIN and  
MARY E. GRABENSTEIN, husband and wife, and acknowledged the fore-  
going instrument to be their voluntary act.

Before me:

[Signature]  
Notary Public for Oregon  
My Comm. expires: 9-17-82

STATE OF OREGON ]  
] ss.

County of Klamath ]  
Personally appeared the above-named September 4th, 1981  
ROGER RIVENES and  
DELLANE RIVENES, husband and wife and acknowledged the fore-  
going instrument to be their voluntary act.

Before me:

[Signature]  
Notary Public for Oregon  
My Comm. expires: 9-17-82

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STATE OF OREGON ]  
 County of Klamath ]

ss.

Personally appeared the above-named September 9th, 1981  
JEFFERY T. BICKFORD and acknowledged the fore-  
 going instrument to be his voluntary act.

Before me:

*George H. Proctor*  
 Notary Public for Oregon  
 My Comm. expires: 9-17-82

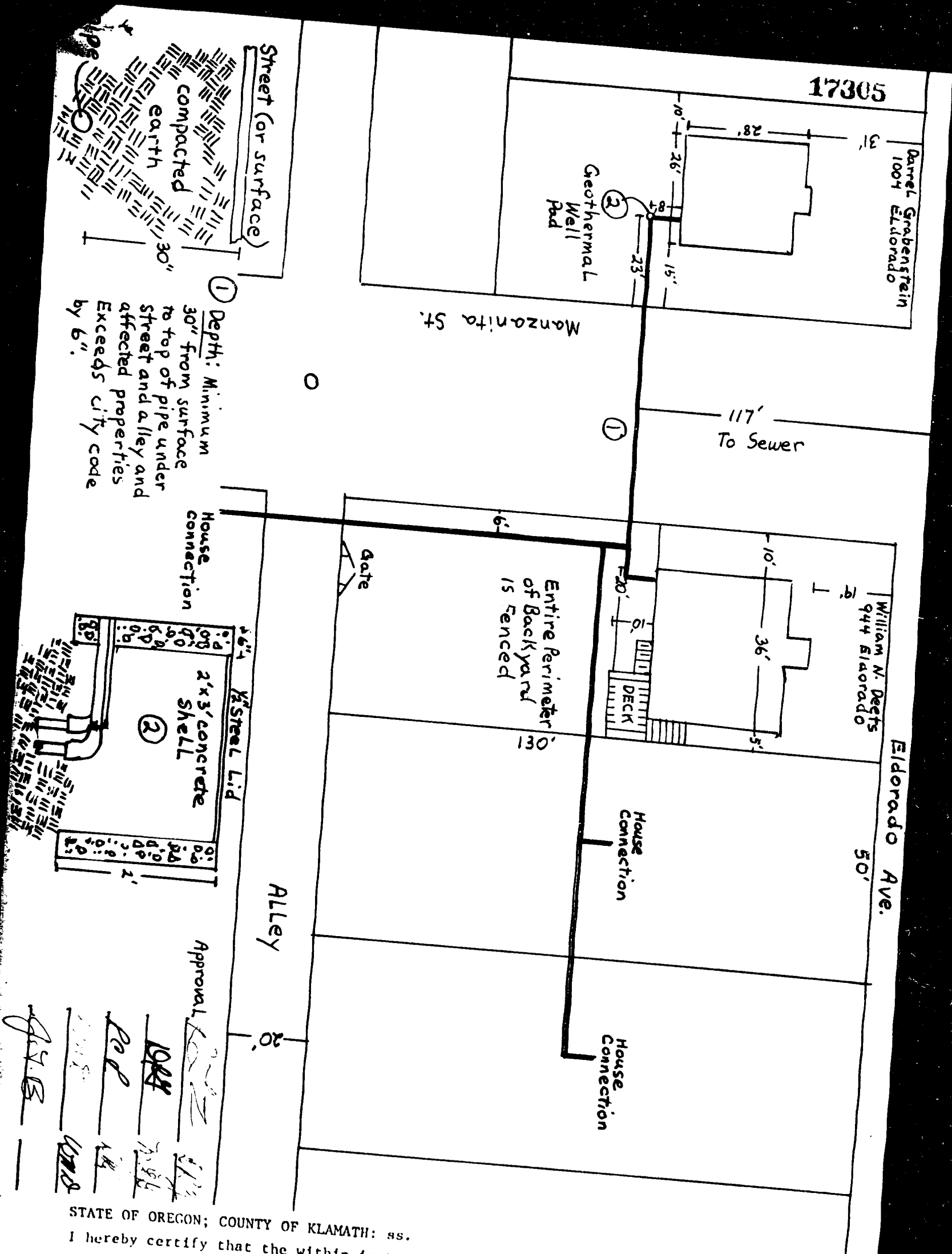
STATE OF OREGON

County of Klamath

Personally appeared the above-named September 4th, 1981  
DOROTHY R. ZWIENER, husband and wife RICHARD L. ZWIENER and  
 going instrument to be their voluntary act.

Before me:

*George H. Proctor*  
 Notary Public for Oregon  
 My Comm. expires: 9-17-82



STATE OF OREGON; COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the  
29th day of Sept. A.D., 1981 at 11:29 o'clock A. M., and duly recorded in  
 Vol M-81 of Deeds on page 17302

Fee \$16.00

EVELYN BIEHN

COUNTY CLERK

By [Signature] Deputy