

MTC 11620

GRANT OF EASEMENT AND JOINT USE AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of July, 1982, by and between GEORGIA LEE BROWN, the duly appointed, qualified and acting personal representative of the ESTATE OF JAMES GORDON BROWN, deceased, hereinafter referred to as "Grantor", and HOWARD KEATH BROWN, hereinafter referred to as "Grantee".

WHEREAS, Grantee owns the following described real property per Exhibit "A" attached hereto.

WHEREAS, Grantor owns a certain property adjacent to Grantee's property, said property being described below and hereinafter referred to Grantor's property, per Exhibit "B" attached hereto.

WHEREAS, the Grantor desires to grant to Grantee an easement across Grantor's property and a joint use of the pump and irrigation system thereto, together with a non-exclusive ingress and egress easement to repair, inspect or maintain said pump and irrigation system and related facilities thereto and pipelines which carry water from the pump to the Grantee's property across the Grantor's property.

NOW, THEREFORE, in consideration of \$10.00 in hand paid and for other good and valuable consideration, and the mutual covenants and promises herein contained, the parties agree as follows:

1. Grantor does hereby grant unto Grantee a perpetual right and easement across Grantor's property for the purposes set forth above.

2. Grantee agrees to pay 21 percent of the cost of repair, maintenance and operation of the pump and pipeline and related facilities thereto. Grantor agrees to pay 79 percent of said cost.

3. Said easement shall run with the lands, hereinabove described and shall extend to and be binding upon the heirs, executors, administrators, successors, and assigns of the respective parties.

Dated the day and year above first written.

GRANTOR:



GEORGIA LEE BROWN, Personal
Representative of the ESTATE OF
JAMES GORDON BROWN, deceased.

GRANTEE:


HOWARD KEATH BROWN

GRANT OF EASEMENT AND JOINT USE AGREEMENT

STATE OF OREGON)
) ss.
 County of Klamath)

August 4, 1982.

Personally appeared GEORGIA LEE BROWN, Personal Representative of the Estate of James Gordon Brown, and acknowledged the foregoing instrument to be her voluntary act and deed.

BEFORE ME:


 NOTARY PUBLIC FOR OREGON

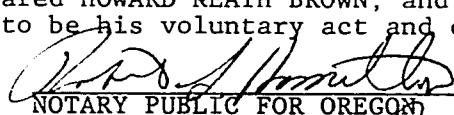
My Commission Expires: 11-24-85

STATE OF OREGON)
) ss.
 County of Klamath)

Aug 22, 1982.

Personally appeared HOWARD KEATH BROWN, and acknowledged the foregoing instrument to be his voluntary act and deed.

BEFORE ME:


 NOTARY PUBLIC FOR OREGON

My Commission Expires: July 26, 1983

EXHIBIT "A"

The following described property situated in Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Section 7 : A portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$, more particularly described as follows;

Beginning at the Northwest corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$, thence South along the West line of the E $\frac{1}{2}$ SE $\frac{1}{4}$, 1352.7 feet to an existing fence line, thence East along said fence line, 1320 feet to a point on the East line of said E $\frac{1}{2}$ SE $\frac{1}{4}$; thence North along said East line to the Northeast corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$; thence West to the point of beginning. ALSO, that portion of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ lying South of the North boundary of the Algoma Lumber Company Railroad right of way, now abandoned, as shown by deed recorded in Volume 42 at page 557, Deed Records of Klamath County, Oregon, EXCEPTING THEREFROM the following: A parcel of land lying in the NE $\frac{1}{4}$ of Section 7, Township 37 South, Range 9 East of the Willamette Meridian, described as follows: Starting from the Northeast corner of said Section 7; thence South a distance of 2218.6 feet to a point; thence West a distance of 934.1 feet, more or less, to the point of beginning; thence North 29° 05' West a distance of 374.9 feet to an iron pin; thence South 29° 05' East a distance of 59.0 feet to a point; thence North 60° 59' East, a distance of 252.0 feet to an iron pin; thence South 29° 05' East a distance of 315.9 feet to a point; thence South 60° 59' West a distance of 44.3 feet to an iron pin; thence continuing South 60° 59' West a distance of 207.7 feet, more or less, to the point of beginning.

Section 8: The NW $\frac{1}{4}$ SW $\frac{1}{4}$ and a portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows: Beginning at the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, thence South along the West line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ 32.7 feet, thence East along an existing fence line 14.8 feet, thence diagonally Northwesterly to the point of beginning.

RESERVING unto the Grantor that certain hayshed which is located approximately along the North line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, TOGETHER WITH an easement for ingress and egress thereto.

SOUTH PROPERTY

3235

The following described property situate in Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon:

Section 7: A portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$, being more particularly described as follows:
Beginning at the Northwest corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$, thence South along the West line of the E $\frac{1}{2}$ SE $\frac{1}{4}$ 1352.7 feet to an existing fence line, said point being the true point of beginning of this description, thence East along said fence line to the East line of the E $\frac{1}{2}$ SE $\frac{1}{4}$, thence South along said East line of the E $\frac{1}{2}$ SE $\frac{1}{4}$ to the Southeast corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$, thence West along the South line of the E $\frac{1}{2}$ SE $\frac{1}{4}$ to the Southwest corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$, thence North along the West line of the E $\frac{1}{2}$ SE $\frac{1}{4}$ to the point of beginning.

Section 8: The SW $\frac{1}{4}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM that portion described as follows:
Beginning at the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence South along the West line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ 32.7 feet to an existing fence line, thence East along said fence line 14.8 feet, thence diagonally Northwesterly to the point of beginning.

Section 18: The N $\frac{1}{2}$ NE $\frac{1}{4}$

EXHIBIT "B"

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record

this 3rd day of March A.D. 19 83 at 8:38 o'clock A.M., and
duly recorded in Vol. MB3, of deeds on Page 3232.

Fee: \$16.00

By EVLYN BIEHN, County Clerk
Bernetha Adetich

MTC