

41177

DECLARATION OF IRRIGATION SYSTEM AGREEMENT

Klamath First Federal Savings and Loan Association, a Federal Corporation,
hereby makes the following Declaration:

1. Klamath First Federal Savings and Loan Association is the owner of the
following-described parcels of real property:

PARCEL 1: A tract of land situated in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, Township 39
South, Range 10 East of the Willamette Meridian, in the County of
Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the North line of said Section 32, from which the North
 $\frac{1}{4}$ corner of said Section 32 bears North 89°42'33" West 297.90 feet; thence South
89°42'33" East 370.00 feet to the W-E 1/64 corner; thence South 00°13'45" East,
along the East line of the W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 32, 320.00 feet; thence North
89°42'33" West 370.00 feet; thence North 00°13'45" East 320.00 feet to the point
of beginning, with bearings based on Minor Land Partition 22-84, containing 2.72 acres

PARCEL 2: A tract of land situated in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section
32, Township 39 South, Range 10 East of the Willamette Meridian,
in the County of Klamath, State of Oregon, more particularly described as
follows:

Beginning at the North $\frac{1}{4}$ corner of said Section 32; thence South 89°42'33" East,
along the section line, 297.90 feet; thence South 00°13'45" West 320.00 feet;
thence North 89°42'33" West 300.00 feet; thence North 32°39'54" West 172.16 feet;
thence North 00°10'04" East 175.00 feet to the North line of said Section 32;
thence North 89°57'52" East 95.78 feet to the point of beginning, with bearings
based on Minor Land Partition 22-84, containing 2.74 acres.

PARCEL 3: A tract of land situated in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32,
Township 39 South, Range 10 East of the Willamette Meridian, in the
County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the North line of said Section 32, from which the North
 $\frac{1}{4}$ corner of said Section 32 bears North 89°57'52" East 95.78 feet; thence South
00°10'04" West 175.00 feet; thence South 32°39'54" East 172.16 feet; thence
South 89°42'33" East 670.00 feet; to the East line of the W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec-
tion 32; thence South 00°13'45" East, along said East line, 1009.92 feet, to the
C-W-NE 1/64 corner; thence North 89°48'56" West 668.04 feet to the C-N 1/16 cor-
ner; thence North 89°58'43" West, along the South line of the said NE $\frac{1}{4}$ NW $\frac{1}{4}$,
249.22 feet; thence North 00°10'04" East, parallel to the West line of the said
NE $\frac{1}{4}$ NW $\frac{1}{4}$, 835.91 feet; thence North 89°57'52" East 125.00 feet; thence North 00°
10'04" East 495.00 feet to a point on the North line of said Section 32, 1210.00
feet East of the Northwest corner of the said NE $\frac{1}{4}$ NW $\frac{1}{4}$ by deed; thence North 89°
57'52" East 30.00 feet to the point of beginning, with bearings based on Minor
Land Partition 22-84, containing 21.17 acres, of which 15 are irrigated.

2. There is currently an irrigation system existing on the above-described
property consisting of pump, electric meter, mainline from Klamath Irrigation
Canal and packlines.

3. Klamath First Federal Savings and Loan Association intends to sell Par-
cels 1, 2 and 3, and to provide for irrigation water for each parcel from the
existing irrigation system.

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4. The sale of Parcel 1 shall include the right to receive irrigation water from the well described in Paragraph 3, together with an easement for the distribution pipes from the well across Parcels 2 and 3 described in Paragraph 1.

5. The sale of Parcel 2 will include the right to receive irrigation water from the well described in Paragraph 2, together with an easement for the distribution pipes across Parcel 3, and shall be subject to the easement in favor of Parcel 1 for the distribution pipes.

6. The sale of Parcel 3 shall include the right to receive irrigation water from the well described in Paragraph 2, and it shall be subject to the easement in favor of Parcels 1 and 2 for distribution pipes and for the interest of Parcels 1 and 2 in the well.

7. The owner of each parcel shall pay the cost of operating and maintaining the pump and distribution system in proportion to the number of acres irrigated, which shall include all electric costs, repairs and maintenance of the system.

8. If any party should desire to add additional irrigation equipment, he may do so at his own expense and shall retain ownership of the additional irrigation equipment.

IN WITNESS WHEREOF, Klamath First Federal Savings and Loan Association has executed this agreement this 16 day of August, 1984.

KLAMATH FIRST FEDERAL SAVINGS AND LOAN
ASSOCIATION

By James D. Bocchi
By Gerald V. Brown

STATE OF OREGON)
County of Klamath) SS

On this 27th day of August, 1984, personally appeared James D. Bocchi and Gerald V. Brown, who, being duly sworn, each for himself and not one for the other, did say that the former is the executive vice-president and that the latter is the secretary of Klamath First Federal Savings and Loan Association, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

(SEAL)
My Commission Expires: 5-14-88

L. Owens
Notary Public for Oregon

WILLIAM L. SISEMORE
Attorney at Law
540 Main Street

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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 21 day of September A.D., 1984 at 2:40 o'clock P M, and duly recorded in Vol M84, of Deeds on page 16431.

EVELYN BIEHN, COUNTY CLERK

by: Pam Smith, Deputy

Fee: \$8.00 Index: \$1.00

Ret:
KFSS+J
540 MAIN ST
HFC