

## DECLARATION OF EASEMENT

\* \* \* \* \*

BONNIE J. MABON and LON T. MABON, Declarants, are the owners of the following parcels of real property located in Klamath County, Oregon:

## PARCEL #1:

The East 196.4 feet of Tract 14 of JUNCTION ACRES, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of said tract or Lot 14; thence South 89 degrees 47' West along the North line of said Lot 14, 196.4 feet; thence South 0 degrees 8' East 663.2 feet; thence North 89 degrees 47' East along the South line of said Lot 14, 196.4 feet to the Southeast corner of said Lot 14; thence North 0 degrees 08' West 663.2 feet to the point of beginning.

## PARCEL #2:

Beginning at the Northwest corner of Lot 14 of JUNCTION ACRES, thence along the Westerly line of said Lot 14, South 0 degrees, 08' East 663.2 feet; thence along the Southerly line of Lot 14 North 89 degrees 47' East 132 feet; thence North 0 degrees 08' West 663.2 feet to the Southerly line of the Klamath Falls-Lakeview Highway; thence South 89 degrees 47' West 132 feet more or less, to the point of beginning.

## 1. WATER WELL LOCATION.

There exists upon Parcel #1 a water well located approximately 135 feet Southerly from Oregon Highway 140, approximately 144 feet Westerly from the West property line of Parcel #1 and approximately 85 feet Easterly of the East property line of Parcel #2.

SEP 9 PM 12 32

CH  
13

16283

2. GRANT OF UNDIVIDED INTEREST IN WELL.

If, at any time in the future, Declarants should convey Parcel #2 into separate ownership, Declarants shall also convey an undivided one-quarter (1/4) interest in the well, casing, pump and engine and the right to take one-quarter (1/4) of the water from the well for domestic purposes and to convey the water from the well to Parcel #2 by pipe.

3. EASEMENT.

Declarants shall also grant to such future grantee an easement in, over and across a strip of land 8 feet in width, beginning at the well and extending approximately 85 feet in a Westerly direction to the East property line of Parcel #2.

4. CONDITIONS.

This conveyance shall be made upon the condition that such future grantee, and his or her heirs and assigns, shall bear one-quarter (1/4) of all expenses incurred in the operation of the pump and engine and one-quarter (1/4) of all expenses connected with the maintenance of the well and all accessories thereto and that grantee, and his or her heirs and assigns, shall keep and maintain the pipe in good order so that there will be no

16284

leakage or seepage therefrom or any defects that may cause injury to the land and premises of Declarants.

Should at any time in the future the owner of Parcel #2 develop a water well within the boundaries of the Parcel described as #2, this Declaration shall be of no further force and effect.

IN WITNESS WHEREOF, Declarants have executed this Declaration of the \_\_\_\_\_ day of \_\_\_\_\_, 1987.

*Bonnie J. Mabon*  
 BONNIE J. MABON, Declarant

*Lon T. Mabon*  
 LON T. MABON, Declarant

STATE OF OREGON )  
 ) SS.  
 County of Klamath )

The foregoing instrument was acknowledged before me this 8 day of September, 1987, by BONNIE J. MABON and LON T. MABON.

*Robert Brown*  
 NOTARY PUBLIC OF OREGON  
 My Commission Expires: 10/9/88

*Ret Lon Mabon*  
*7748 Hwy 140 E*  
*KFO 97603-*

STATE OF OREGON, ss.  
 County of Klamath

Filed for record at request of:

on this 8th day of Sept. A.D., 19 87  
 at 12:32 o'clock P M. and duly recorded  
 in Vol. M87 of Deeds Page 16282

Evelyn Biehn, County Clerk

By *Pam Smith*

Deputy.

DECLARATION OF EASEMENT, Page 3.

Fee, \$13.00