0 THE COLLECTOFRAL FACEAFAIT 6101 00 00 MTC 21985-D.Vol m89 Page AGREEMENT FOR EASEMENT 222 South Sirvic day of September 89 THIS AGREEMENT, Made and entered into this by and between DAVID T. JENSEN AND PATRICIA J. JENSEN, husban, hereinafter called the first party, and DAN D. MC AULIFFE AND JOSEPHINE AULIFFE. husband and wife , hereinafter called the second party; WITNESSETH: WHEREAS: The first party is the record owner of the following described real estate in Klamath County, State of Oregon, to-wit: The ElNWINWI and the NEINWI of Section 14, Township 40 South, Range 15 of the Willamette Meridian, Klamath County, Oregon. BELL REXT A Provide Sprits for exclusion have FOR EASEMENT 1.2.27 AGBEEMENT 家族性なぜ ひと しちょうひじん المراجع NW -3 1.1 Win goungeron druger Starting of the start of the start Water & Cally & Sec. ALC: NO. Nursig Paris of Organs Connection of 21.115 1501060 2 ลิกษณ์จากให้ผู้ผู้ผลิกจะได้ไร่เครื่องกับตากการไป (การการกา (OFFICIAL a, sangagen gangangan sangan sangan sa manungen sangan sang mangan sangan 0 with the wee way stream to be T , and has the unrestricted right to grant the easement hereinalter described relative to said real estate; NOW, THEREFORE, in view of the premises and in consideration of One Dollar (\$1) by the second 65 party to the first party paid and other valuable considerations, the receipt of all of which hereby is acknowledged by the first party, they agree as follows: 10 The first party does hereby grant, assign and set over to the second party an easement for an existing irrigation ditch running North and South supplying water from the Van Brimmer 83 Ditch to the real property of the Second Party. Said existing irrigation ditch has been in existance for approximately 41 years. Said easement to include as easement for ingress and erress to maintain said existing ditch and appurtenances thereto. Said easement to be appurtenant to the real property of the Second Party described in Exhibit "A" attached hereto. dep and year line hereinaboye within IN WITTHESS WHEREOF, in a varias hereis bare should be when when a they this maintaine dial apply balls to pullifiguals und apply approach. the masculine includes the feminine and the muture and free to the solution for the life of the barbar (Insert here a full description of the nature and type of the easement granted to the second party.) The second party shall have all rights of ingress and egress to and from said real estate (including the right from time to time, except as hereinafter provided, to cut, trim and remove trees, brush, overhanging branches and other obstructions) necessary for the second party's use, enjoyment, operation and maintenance of the easement hereby granted and all rights and privileges incident thereto. Except as to the rights herein granted, the first party shall have the full use and control of the above described real estate. And there of "The second party hereby agrees, to hold and save the first party harmless from any and all claims of third parties arising from second party's use of the rights herein granted. The easement described above shall continue for a period of ... perpetuity, always subject, however, to the following specific conditions, restrictions and considerations: 400 attached

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Klamathing) \$3.

If this easement is for a right of way over or across first party's said real estate, the center line of said easement is described as follows:

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however, to the following specific conditions, restrictions and counderations. The comment described above shall continue for a period of sperpare (

third parties around from second party a use of the ridius littering and d and second party's right of way shall be parallel with said center line and not more than feet

distant from either side thereof.

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the ensemberd hereby granned and all rights and presidents includent there

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the die ecolo immediate parties, hereto but also their respective heirs, executors, administrators and successors in interest as

In construing this agreement and where the context so requires, words in the singular include the plural; the masculine includes the feminine and the neuter; and generally, all changes shall be made or implied so

that this instrument shall apply both to individuals and to corporations. IN WITNESS WHEREOF, the parties hereto have subscribed (this instrument in duplicate on this, the

day and year first hereinabove written. th Experie "A" pricebal fagrade

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~^^ David T. Jensen Patricia H the chore nomed first party is a corporation, it is a composition of the form of acknowledgment oppetite.

TO THE LEWY ALCOULDA STATE OF OREGON, County of STATE OF OREGON, TOL GILCH I BETHE NOT I SUG SOACH PRINE INTER, 19 . and and County of Karnet 1989 and the secondwho, being duly sworn, esch for himself and not one for the other, did say that the former is the Personally appeared the above named president and that the latter is the secretary of and acknowledged the foregoing Instrument to bo , a corporation, and that the seal affixed to the foregoing instrument is the corporate seal voluntary act and deed. 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: (OFFICIAL (N)Belore me: (OFFICIAL SEAL) **IDSUB** C. BARINE SEAL) Notary Public for Oregon Notary Public for Oregon My commission expires: 9-6-92 My commission expires: Externa

STATE OF OREGON, SS. ORECON AGREEMENT County of I certify that the within instru-FOR EASEMENT ment was received for record on the BETWEEN 12 OF the SILLARDER Real Can. Franch Suncy the stand the state of the state of the ato'clock ... M., and recorded in book/reel/volume No.on CONFILM SLIP OF CHER AND IN MILL pageor as document/lee/file/ SPACE RESERVED WHEREAS The first purity is the recoil owner of the fit down a instrument/microlilm No. TAUMERIC RECORDER'S USE -----Record of and witte File Montagebarter of said County DA DIN DALLER RECORDING RETURN TO DALLER DA DALLER DA DALLER TO DALLER Witness my hand and seal of AC VATISHES County affixed. 222 South Sixth weilt LOS EVZEWEIL CTUCIAMAIN JAUS, OR WEILL LOS EVZEWEIL TITLE NAME Deputy By ะอ.การ มระชากรรร เปราจางม 9760 \$ 2

2.938 It is the intent of Glenn W. and Anita K. Lapeyre, the buyers of the Dan McAuliffe Ranch and David T. and Patricia J. Jensen, owners of the adjacent property to put an underground pipeline in place of the existing open irrigation ditch within five years from the closing date of the McAuliffe-Lapeyre sale. It is understood that the expense of this pipeline will be shared 50%-50% by both parties above that amount paid by the ASCS office in conjunction with the Soil Consevation Service. The date of installation of the pipeline will be mutually acceptible to both parties. \$ Cost Glenn W. David T. Jep Son atricia MDen Anita K. Laper Anita K. Laperre Patricia J. Jensen 2~5 10-5-89 Date STATE OF OREGON. J SS. Klamath COUNTY OF BE IT REMEMBERED, That on this ______ 3rd before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Patricia J. Jensen and David T. Jensen known to me to be the identical individual S described in and who executed the within instrument and acknowledged to they me that executed the same freely and voluntarily. 1.1.1 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written 5 • 10.12 5.518 My Commission expires N-65 11-81 10/11/93 STATE OF OREGON. FORM NO. 23 - ACKNOWLEDGMENT 6.33 County of Llamath BE IT REMEMBERED, That on this _____ day of _____ OCTOBL before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within <u>l</u>..... blenn W. Saperpe & anita K Baperpe known to me to be the identigal individual described in and who executed the within instrument and IN TESTIMONY WHEREOF, I have hereunto set my hand and attixed my official seal the day and year last above written. len Notary Public for Oregon. My Commission expires 6-16-92 STATE OF OREGON: COUNTY OF KLAMATH: 55. Filed for record at request of Mountain Title Co. A.D., 19 89 at 9:27 o'clock A.M., and duly recorded in Vol. M89 of Oct. day of ____ on Page 18908 FEE \$18.00 Evelyn Biehn . County Clerk By Qauline Mullender