

K-43260

GRANT OF EASEMENT AND WELL MAINTENANCE AGREEMENT

Deed made this 23rd day of May 1991 between John W. Wolter of Klamath Falls, Oregon, herein referred to as "Grantor", and Jack and Lynn Japink, herein referred to as "Grantee".

- 1) Grantor is the owner of property described as Lot 36 of Block 21 of Klamath River Acres 4th Addition.
- 2) Grantee is the owner of property described as Lot 35 of Block 21 of Klamath River Acres 4th Addition.
- 3) There is on the above mentioned property of Grantor a well, and it is the intent of the parties by this agreement that they jointly share the use of said well in withdrawing water for the use of the Grantee and Grantor, subject to the provisions hereof.

Therefore, in consideration of the sum of \$3,000.00, receipt of which is hereby acknowledged, and subject to the conditions set forth in this instrument:

1) Grantor does hereby grant, sell and convey to Grantee one-third ownership of the above-mentioned well and conveys to Grantee the right to take water from said well and to convey such water from the well to Grantee's above-mentioned property by pipe; and

2) Grantor hereby further grants to Grantee an easement to Grantee over Grantor's land for maintenance and repair of said pipe. Said easement is to be appurtenant to the land described as Lot 35, Block 21, KRA 4th, and shall be perpetual and run with the ownership of the land described as Lot 36, Block 21, KRA 4th.

This conveyance is made on the express condition that Grantor and Grantee both have an equal right to withdraw water from said well for their domestic use for one single-family residence, and that the parties shall each be responsible for maintenance of the pipe line providing water to their respective residences, but shall share equally in the cost of maintaining the pump, tank and the well casing and other similar maintenance work. Grantor and Grantee agree to share equally pumping electrical costs from said well for their respective single family residence. Said well and pump assembly is serviced by a seperate electric meter, billing of which is sent to 8811 Big Pine Way, Klamath Falls, Oregon, or to the address agreed upon by the Grantor and Grantee. Grantee agrees to pay their equal share of this billing. Grantor and Grantee agree that water use is for a normal single family household and not for any other use.

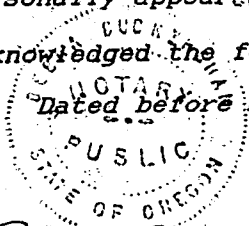
IN WITNESS WHEREOF, Grantor and Grantee have hereunto set their hands on the date first above written.

John W. Wolter
Grantor: John W. Wolter

STATE OF OREGON, County of Klamath > ss.

Personally appeared the above named John W. Wolter and acknowledged the foregoing instrument to be a voluntary act and deed.

Dated before me this 23rd day of May, 19 91



Debra Ruth Ham
NOTARY PUBLIC FOR OREGON
My Commission Expires: 12-19-92

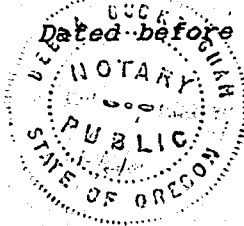
Jack Japink
Grantee: Jack Japink

Lynn Japink
Grantee: Lynn Japink

STATE OF OREGON, County of Klamath > ss.

Personally appeared the above named Jack Japink and Lynn Japink and acknowledged the foregoing instrument to be a voluntary act and deed.

Dated before me this 23rd day of May, 19 91



Debra Ruth Ham
NOTARY PUBLIC FOR OREGON
My Commission Expires: 12-19-92

RETURN: KCTC

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 24th day of May A.D., 19 91 at 9:50 o'clock A M., and duly recorded in Vol. M91 of Deeds on Page 9820.

FEE \$38.00

Evelyn Biehn - County Clerk

By Pauline Muelandere

Return: KCTC