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# AGREEMENT MTC 28313 MK

This agreement is made into on the 20th of May 1981 by and between Edward R. Roufs and Margaret A. Roufs, husband and wife, parties of the first part, and Gary R. Peterson and Darlean D. Peterson, husband and wife, parties of the second part.

Whereas parties of the first part are the owners of property, a description of which is attached hereto marked Exhibit "A", and whereas parties of the second part are owners of property, a description of which is attached hereto, marked Exhibit "B"

A water well has been constructed on property of first part, which will supply water to the properties and homes of both parties.

It is agreed that the sum of \$7.00 will be paid by the second part to the first part no later than the fifth day of each month to cover cost of electricity incurred by the first part to operate said well. This sum will remain constant until such a time that the cost of power increases at such a rate, where an increase in the monthly sum will be necessary to operate well. Whereas at which point both parties will agree to a new monthly sum which will then become binding as being due no later than the fifth day of each month.

Whereas both parties agree to share equally in any expenses incurred for repair or normal maintenance of said well.

The first part thus gives the right to the second part to enter land for such purposes.

Both parties agree that the provisions for this agreement to be binding to the heirs, successors and assigns of the real property described herein.

**\*\*NOTE: THIS INSTRUMENT IS BEING RE-RECORDED TO CORRECT LEGAL DESCRIPTION \*\***

Edward R. Roufs  
Edward R. Roufs

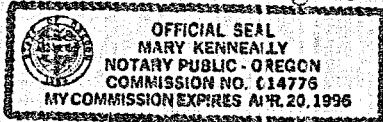
Margaret A. Roufs  
Margaret A. Roufs

Gary R. Peterson  
Gary R. Peterson

Darlean D. Peterson  
Darlean D. Peterson

State of Oregon )  
County of Klamath )

On this 28 day of August 1992, personally appeared Edward R. Roufs & Margaret A. Roufs and acknowledged the foregoing instrument to be their voluntary act and deed.



After recording return to:

Mountain Title Co.

Mary Kenneally  
Notary Public for Oregon



State of Oregon  
City of Klamath

On this 28th day of August 1992 personally appeared Gary R. Peterson and Darlean D. Peterson & acknowledged the foregoing instrument to be their voluntary act & deed.

Bonnie Applebaker  
Notary Public for Oregon

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# **EXHIBIT "A"** **LEGAL DESCRIPTION**

A tract of land situated in the NE1/4 of NE1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin which lies North 89 degrees 40' East along the 40 line a distance of 780.0 feet and North 1 degree 02' West a distance of 426.8 feet from the iron pin which marks the intersection of 4th Avenue and 4th Street of Altamont Acres, which point of intersection is also the Southwest corner of the NE1/4 of NE1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and running thence; North 89 degrees 41' 13" East a distance of 216.7 feet to an iron pin which lies on the Westerly right of way line of the U.S.R.S. Drain Ditch; thence North 04 degrees 20' 47" West 170.41 feet to the true point of beginning; thence continuing North 04 degrees 20' 47" West 21.02 feet to a point; thence North 30 degrees 36' 47" West 103.10 feet to a point; thence South 89 degrees 41' 13" West 154.90 feet; thence South 01 degrees 03' 56" East 110 feet to a point; thence North 89 degrees 41' 13" East 206.95 feet to the point of beginning, with bearings based on Minor Partition No. 81-6.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 28th day  
of Aug. A.D., 19 92 at 2:31 o'clock P M., and duly recorded in Vol. M92,  
of Deeds on Page 19660.

FEE \$15.00

Evelyn Biehn -County Clerk

By Dorinda Mueller

**EXHIBIT 'B'**  
**LEGAL DESCRIPTION**

A tract of land situate in the NE1/4 NE1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin which lies North 89 degrees 40' East along the 40 line a distance of 780.0 feet and North 1 degree 02' West a distance of 707.21 feet from the iron pin which marks the intersection of 4th Avenue and 4th Street of Altamont Acres, which point of intersection is also the Southwest corner of the NE1/4 NE1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and running thence North 89 degrees 41' 13" East a distance of 154.90 feet to an iron pin which lies on the Westerly right of way line of the U.S.R.S. Drain Ditch; thence North 30 degrees 36' 47" West along said Westerly right of way line of the U.S.R.S. Drain Ditch, distance of 279.79 feet to an iron pin which marks the intersection of the Westerly right of way line of the U.S.R.S. Drain and the Southerly line of a 60 foot road; thence South 89 degrees 41' 13" West along the Southerly right of way line of the 60 foot road a distance of 16.90 feet to an iron pin which lies on the Easterly right of way line of Derby Street; thence South 01 degrees 03' 56" East along the Easterly right of way line of Derby Street a distance of 241.60 feet, more or less, to the point of beginning, said tract being in the NE1/4 NE1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, with bearings based on Minor Land Partition No. 81-6.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 2nd day  
of Sept. A.D., 19 92 at 2:31 o'clock P M., and duly recorded in Vol. M92,  
of Deeds on Page 19980.

FEE \$15.00

Evelyn Biehn, County Clerk

By Pauline Mullendore