

10-14-94 P02:15 RCVD

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NOTIC 33976

GRANT OF EASEMENT FOR SEPTIC SYSTEM LEACH FIELD

This agreement is made this 18th day of October, 1994, between Edward G. Shuey and Christine L. Shuey, husband and wife, GRANTORS, and Irvin D. Norton and Cherri L. Norton, husband and wife, GRANTEES.

WHEREAS, GRANTORS own real property located in Klamath County, Oregon, more particularly described on Exhibit "A", attached hereto, and

WHEREAS, GRANTORS are selling to GRANTEES certain adjacent real property located in Klamath County, Oregon, more particularly described on Exhibit "B", attached hereto; and

WHEREAS, the septic leach field from the septic system located on the Exhibit "B" property is located on the Exhibit "A" property, and

WHEREAS, the parties desire to set forth their agreements in writing as to the use of the septic leach field.

NOW THEREFORE, in consideration of the recitals set forth above, the parties agree as follows:

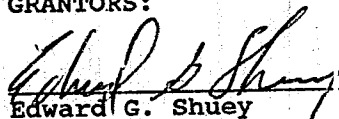
1. GRANTORS hereby grant, bargain, sell and convey a perpetual easement over the Exhibit "A" property to GRANTEES, to be appurtenant to and a part of the Exhibit "B" property, for the purpose of maintaining, repairing and replacing the existing septic leach field, which occupies an area 30 feet deep and 50 feet wide from the boundary of tax lot 4900 on the Exhibit "B" property and the Exhibit "A" property as described. All maintenance costs of

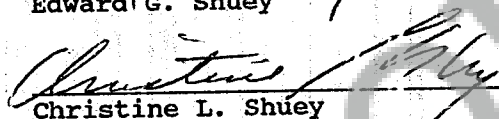
such field shall be the responsibility of GRANTEES.

2. In connection with the use, maintenance and repair of the septic leach field, GRANTEES shall take care to cause no harm to the property owned by GRANTORS, and shall restore the property of GRANTORS to its immediately preceding condition in the event that any repairs or maintenance become necessary.

3. It is intended that this grant of easement not be personal to GRANTEES, but it shall run with the land and shall be binding upon and inure the benefit of GRANTEES, their heirs, successors and assigns, so long as the septic system is in use.

GRANTORS:

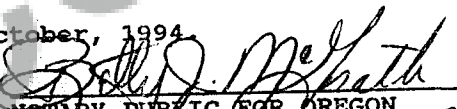

Edward G. Shuey

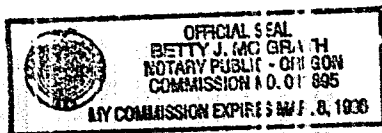

Christine L. Shuey

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above named Edward G. Shuey and Christine L. Shuey and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME this 13th day of October, 1994


NOTARY PUBLIC FOR OREGON
My Commission Expires: 3-8-96



A tract of land situated in Block 8 of Chemult and in the SW quarter of the SW quarter, Section 21, T. 27 S., R. 8 E.W.M., more particularly described as follows:

Beginning at the intersection of the easterly right of way line of the Dalles-California Highway and the northerly line of Block 8, Chemult; said point also being the northwest corner of Block 8, Chemult; thence northeasterly along the northerly line of said block, 150 feet to the true point of beginning; thence continuing northeasterly along said northerly line 151.5 feet to the northeasterly corner of said block; thence south $20^{\circ}54'$ East along the easterly line of said block, 421.8 feet; thence South $70^{\circ}36'$ West 312.8 feet to the easterly right of way line of said highway; thence northwest along said highway right of way 272.2 feet; thence northeasterly parallel to the northerly line of said block, 150 feet; thence northwesterly parallel to said highway 150 feet to the point of beginning.

All in Klamath County, Oregon.

EXHIBIT "A"

EXHIBIT "B"
LEGAL DESCRIPTION

PARCEL 1

All that portion of Block 8 in the TOWNSITE OF CHEMULT, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, described as follows:

Beginning at a point on the Easterly right of way line of The Dalles-California Highway #97, which point is 50 feet Southeasterly from the Northwest corner of said Block 8; and running at right angles to said Highway Northeasterly 150 feet along the Southerly line of that certain Tract now owned by Bellevance; thence Southeasterly and parallel with the Easterly line of said Highway a distance of 50 feet; thence Southwesterly and parallel with the Northerly line of said Block 8 a distance of 150 feet to the Easterly line of said highway; thence Northwesterly along the Easterly line of said Highway a distance of 50 feet to the point of beginning.

PARCEL 2

A portion of Block 8, CHEMULT, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

A tract of land beginning at a point which is 100 feet in a Southerly direction from the Northwest corner of Block 8 in the ORIGINAL TOWNSITE OF CHEMULT, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; thence running in an Easterly direction at right angles to The Dalles-California Highway #97 a distance of 150 feet; thence in a southerly direction parallel to said Dalles-California Highway No. 97, a distance of 50 feet; thence in a Westerly direction at right angles to said Highway a distance of 150 feet; thence in a Northerly direction along the boundary of said Highway a distance of 50 feet to the place of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 19th day
of Oct. A.D., 1994 at 2:15 o'clock P. M., and duly recorded in Vol. 194
of Deeds on Page 32560

Evelyn Biehn - County Clerk

By Dorene Mullendore

FEE \$45.00