

71171

K-53159

## SHARED WELL AGREEMENT

WHEREAS, the Estate of Thomas J. O'Connor, hereinafter referred to as the Grantor, are the owners of the real property located in Klamath County, Oregon more particularly described as:

The combined lots 4, 5, 6, 7, 8 and 9, Block 16, Bonanza First Addition as shown on the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

and Robert E. Nieraeth and Suzette E. Nieraeth, husband and wife, hereinafter referred to as the Grantees, are purchasing real property from Grantor located in Klamath County, Oregon more particularly described as:

The combined lots 4, 5, 6, Block 16, Bonanza First Addition as shown on the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

WHEREAS, a domestic well is located on the Southwest Corner of lot 7 referred to above which serves a residence located on the property being sold to the Grantees;

NOW, THEREFORE, IT IS HEREBY AGREED that the Grantor does hereby give and grant to Grantees, their heirs, successors and assignees, for the benefit of the Grantees' property described herein, a permanent easement in, to, upon and over the Grantor's property described herein for the purpose of taking water for domestic purposes and for the purpose of installing, laying, constructing, maintaining and keeping in repair pipes, mains, conduits and electric service as is needed for the Grantees to receive water from the well. The parties agree that the costs associated with the well, including electrical service and any maintenance to the pump itself, shall be paid by the Grantees so long as lots 7, 8 and 9 are not developed. At such time as lots 7, 8 or 9 are developed, a meter shall be installed on the well and the costs associated with the well, including electrical service and any maintenance to the pump itself shall be paid jointly, with the Grantees paying 1/2 of such costs and the Grantor paying 1/2 of such costs.

Joseph Carl O'Connor, Personal Representative  
of the Estate of Thomas J. O'Connor

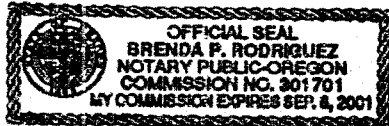
JAMES A. O'CONNOR, Personal Representative  
of the Estate of Thomas J. O'Connor

Robert E. Nieraeth

Suzette E. Niereth

SUBSCRIBED AND SWORN TO BEFORE ME THIS

7th DAY OF November, 1998



Brenda P. Rodriguez  
Notary Public for Oregon

After Recording Return to:

Robert & Suzette Nieraeth  
2851 Bush St  
Bonanza, OR 97623

45024

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Joseph C. O'Connor  
Joseph Carl O'Connor, Personal Representative  
of the Estate of Thomas J. O'Connor

James A. O'Connor  
JAMES A. O'CONNOR, Personal Representative  
of the Estate of Thomas J. O'Connor

Robert E. Nieraeth

Suzette E. Niereth

SUBSCRIBED AND SWORN TO BEFORE ME THIS 4 DAY OF November, 1998  
BY JOSEPH C O'CONNOR.

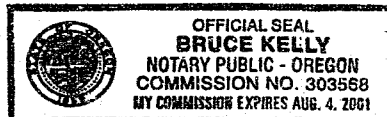
[Signature]  
Notary Public for Oregon

After Recording Return to:

State of Oregon  
County of Douglas

Subscribed & Sworn before me the 8th day of December 1998 by  
James A. O'Connor

[Signature]  
Notary Public



Page 2 of 2

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of First American the 9th day  
of Dec A.D., 19 98 at 3:10 o'clock P M., and duly recorded in Vol. M98  
of Deeds on Page 45023

FEE \$35.00

By Bernetha G. Letsch County Clerk  
[Signature]