

# **AGREEMENT FOR EASEMENT FOR WATER LINE**

Malin Community Park and Recreational District, an Oregon Special District, does hereby grant, bargain, and convey to the City of Malin, Oregon, an Oregon Municipal Corporation, a perpetual easement for the installation, replacement, repair and maintenance of a water line, to be installed below the surface of the ground, together with rights of access thereto for the purposes stated, on, in and along the following described parcel of land.

An easement for installation, replacement, repair and maintenance of a water line over a parcel of land located in the NE ¼ NE ¼ of Section 16, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a ½" iron point from which a stone in a concrete vault marking the northeast corner of said Section 16 bears North 30°36'45" East 1304.75 feet; thence South 40°08'00" East 1.50 feet; thence North 49°52'00" East 53.00 feet; thence North 40°08'00" West 20.00 feet; thence North 49°52'00" East 75.00 feet; thence South 40°08'00" East 115.00 feet; thence South 49°52'00" West 10.00 feet to "Point A"; thence continuing South 49°52'00" West 118.00 feet; thence North 40°08'00" West 95.00 feet to the point of beginning;

ALSO INCLUDING a 20.00 foot wide strip of land being 10.00 feet on each side of the following described centerline: Beginning at above-described "Point A"; thence South 40°08'00" East 405.00 feet; thence South 22°00'00" East 84.00 feet to "Point B"; thence continuing South 22°00'00" East 505.00 feet; thence South 228.00 feet, more or less, to the northerly right of way line of the U.S.B.R. "D" Canal;

ALSO INCLUDING a 20.00 foot wide strip of land being 10.00 feet on each side of the following described centerline: Beginning at above-described "Point B"; thence North 68°00'00" East 164.00 feet; thence North 23°00'00" East 64.00 feet; thence North 68°00'00" East 35.00 feet, more or less, to the westerly right of way line of the Low Line Ditch; with bearings based on Record of Survey No. 2425.

This easement shall run with the land.

Together with the right of ingress and egress over the adjacent lands of the Grantor, his successors and assigns, for the purposes of this easement.

IT IS EXPRESSLY UNDERSTOOD that this easement does not convey the right, title or interest to the surface of the soil, but only the reasonable use thereof, for the purposes here and above stated, nor any other rights except those expressly stated in this easement, nor does it prevent the Grantors from the full use of the area for purposes not inconsistent with the easement.

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

In construing this agreement, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this agreement shall apply equally to individuals and to corporations. If the undersigned is a corporation, it has caused its name to be signed and its seal (if any) affixed by an officer or other person duly authorized to do so by its board of directors.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate on this, the day and year first hereinabove written.

*Douglas K. Smith*

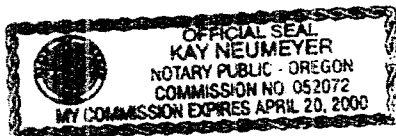
Douglas K. Smith  
First Party  
Park Board Chair

STATE OF OREGON )

County of Klamath )

This instrument was acknowledged before me on  
4-29, 1999, by Douglas K.  
Smith as Park Board Chair  
of Marion Community.

Kay Neumeier  
Notary Public for Oregon  
My commission expires:  
April 20, 2000



*J. H. Williams*

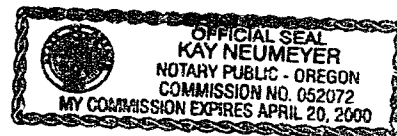
City of Marion, Mayor  
Second Party

STATE OF OREGON )

County of Klamath )

This instrument was acknowledged before me on  
4-29, 1999, by Jeffrey  
Williams as Mayor  
of City of Marion.

Kay Neumeier  
Notary Public for Oregon  
My commission expires: April 20,  
2000



State of Oregon, County of Klamath  
Recorded 5/11/99, at 9:55 AM  
at the referenced page, Vol. M99.  
Linda Smith, County Clerk  
Fee \$ 15

Linda Smith

AFTER RECORDING RETURN TO:

JAMES R. UERLINGS  
110 N. 6<sup>TH</sup> STREET  
KLAMATH FALLS, OR 97601