

WHEN RECORDED MAIL TO:

Norman E. Small
19750 Cheyne Rd.
K. Falls, OR. 97603

1999 DEC 15 AM 11: 42

Vol M99 Page 49251

MAIL TAX STATEMENTS TO:

MTC 49202-KR

GRANT OF EASEMENT Made as of the last date set opposite the signatures of the parties, between EUGENE DUNLEA and PATRICIA DUNLEA, husband and wife, (FIRST PARTY) and NORMAN E. SMALL and VIRGINIA M. SMALL, husband and wife, (SECOND PARTY).

WITNESSETH:

RECITALS: The parties recite:

1. Two domestic wells are constructed on the following described real property situate in Klamath County, Oregon, to wit:

Township 40 South, Range 10, EWM:

Parcel 2 of Land Partition 73-96 being a portion of the S1/2 NE1/4 of Section 31, Township 40 South.

(SERVIENT PROPERTY)

2. FIRST PARTY is the owner of the SERVIENT PROPERTY.
3. SECOND PARTY is the owner of the BENEFITED PROPERTY situate in Klamath County, or, to-wit:

Township 40 South, Range 10, EWM:

Parcel 1 of Land Partition 73-96 being a portion of the S1/2 NE1/4 of Section 31, Township 40 South.

4. BENEFITED PROPERTY receives its domestic and irrigation water from the wells on the SERVIENT PROPERTY.

AGREEMENT: The parties agree:

A. FIRST PARTY hereby grants, bargains, sells, and conveys to SECOND PARTY a permanent easement and right of way to use and maintain a pipe line for the transportation of domestic and irrigation water from the wells situated on the SERVIENT PROPERTY for the benefit of the BENEFITED PROPERTY. This grant of easement includes the perpetual right to enter upon the SERVIENT PROPERTY, at any time SECOND PARTY may see fit, and construct, maintain, and repair underground pipe lines for the purposes of conveying water from said wells over, across, through, and under the land owned by FIRST PARTY, together with the right to evacuate and refill ditches and trenches for the location and maintenance of such pipelines and, the further right to remove any obstacles interfering with the location, construction and maintenance of said pipelines.

B. FIRST PARTY releases SECOND PARTY from any and all claim for damages arising in any way or incident to the use of the easement hereby granted to SECOND PARTY for the transportation and/or drainage of irrigation water to or from the BENEFITED PROPERTY.

C. This easement is to and shall run with the BENEFITED PROPERTY and shall be for the benefit and use of SECOND PARTY and SECOND PARTY'S heirs, personal representatives, successors, or assigns.

DATE

SIGNATURE

12/14/99

Eugene Dunlea
EUGENE DUNLEA

12/14/99

Patricia Dunlea
PATRICIA DUNLEA

12/14/99

Norman E. Small
NORMAN E. SMALL

12/14/99

Virginia M. Small
VIRGINIA M. SMALL

STATE OF OREGON)

COUNTY OF KLAMATH)

) ss.

On this 14th day of December, 1999, personally appeared the above named EUGENE DUNLEA and PATRICIA DUNLEA and acknowledged the foregoing instrument to be their voluntary act and deed.



Lisa Weatherby
Notary Public
My Commission expires: 11/20/2003

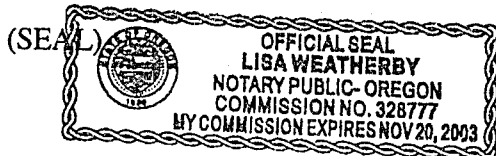
STATE OF OREGON)

COUNTY OF KLAMATH)

) ss.

On this 14th day of December, 1999, personally appeared the above named NORMAN E. SMALL and VIRGINIA M. SMALL and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



Lisa Weatherby
Notary Public
My Commission expires: 11/20/2003

State of Oregon, County of Klamath
Recorded 12/15/99, at 11:42 a.m.
In Vol. M99 Page 49251
Linda Smith,
County Clerk Fee \$ 35.00

MAIL TAX STATEMENTS AS DIRECTED ABOVE

GIACOMINI LAW OFFICE, 706 Main Street, Klamath Falls, OR 97601; Telephone (541) 884-7728; Telefax (541) 883-1759