

2011-08702

Klamath County, Oregon



00105214201100087020020026

07/28/2011 09:19:54 AM

Fee: \$42.00

RECORDING REQUESTED BY:

GRANTOR: JW FARMS PARTNERSHIP

GRANTEE: JW FARMS PARTNERSHIP

AFTER RECORDING RETURN TO:
JW FARMS PARTNERSHIP
PO BOX 830
MERRILL OR 97633

Returned @ Counties

EASEMENT

EASEMENT

THIS AGREEMENT is entered into July 26, 2011, by and between JW Farms Partnership, an Oregon General Partnership, ("Grantor"), and JW Farms Partnership, an Oregon General Partnership.

RECITALS

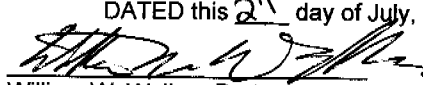
- 1) JW Farms Partnership owns two contiguous parcels of property.
- 2) The Burdened Parcel is legal described as: Parcel Two of Land Partition 20-02 situated in the NE ¼ NW1/4, and NW1/4 NW1/4 of Section 9, Township 41S, Range 12E, East of the Willamette Meridian, and the NE1/4 of the NE1/4 of Section 8, Township 41S, Range 12E, East of the Willamette Meridian.
- 3) The Benefited Parcel is legal described as: The SE1/4 SW1/4 Section 4, Township 41, Range 12 East of the Willamette Meridian, Klamath County, Oregon, EXCEPT a 30' strip for road right of way across the South side thereof.
- 4) JW Farms Partnership has built potato storages, and intends to build new potato storages on the Benefited Parcel which will require the use of the well on the Burdened Parcel to provide water for the operation of the storages.

AGREEMENT

THEREFORE, the owner of the Burdened Parcel wishes to grant to the owner of the Benefited Parcel, its successors and assigns an easement as follows:

- 1) For the purpose of running pipes underground and maintaining said pipes, the Easement shall be comprised of an area of land twenty feet wide running from the northeast corner of the Packing Shed for approximately one hundred feet due northeast;
- 2) The Easement shall also allow the Benefited Parcel to access the well water through the Easement granted to Parcel One of Land Partition 20-02, situated in the NE ¼ NW ¼ and NW ¼ NW ¼ of Section 9, Township 41 South, Range 12 East of the Willamette Meridian and NE ¼ NE ¼ of Section 8, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon;
- 3) The purpose of the easement is to provide water from the well on the Burdened Parcel to the potato storages located on the Benefited Parcel;
- 4) The owner of the Burdened Parcel shall be responsible for the maintenance and repair of the well, pump, and motor. Said well, pump, motor and other personal property used as part of the well shall remain the property of the owner of the Burdened Parcel; and
- 5) This agreement shall be perpetual, shall burden the Burdened Parcel and shall benefit the Benefited Parcel, and shall run with the respective parcels of land, binding heirs, successors, and assigns to all of the terms, conditions, and specifications contained herein.

DATED this 27th day of July, 2011.


William W. Walker, Partner
JW Farms Partnership (Grantor)

INDIVIDUAL ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } } ss

On July 27th, 2011 before me, Tricia M. Hill, Notary Public, personally appeared William W. Walker, for JW Farms Partnership.

WITNESS my hand and official seal

