



2017-001473

Klamath County, Oregon

02/10/2017 03:12:00 PM

Fee: \$47.00

Grantor: Clinton E Bimemiller

Grantee: Dominic DeBernardi

After Recording Return to: Dominic DeBernardi
17180 Hwy 238
Grants Pass, OR 97527

SHARED WELL AGREEMENT

WHEREAS, Clinton E. Bimemiller, hereinafter referred to as the Grantor, is the owners of the real property located in Klamath County, Oregon more particularly described as:

Lot 8 Block 7 KLAMATH FOREST ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

and Dominic DeBernardi, hereinafter referred to as the Grantee, is the owner of real property located in Klamath County, Oregon more particularly described as:

Lot 7 Block 7 KLAMATH FOREST ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

WHEREAS, a domestic well is located on the Grantor's parcel referred to above;

NOW, THEREFORE, IT IS HEREBY AGREED that the Grantor does hereby give and grant to Grantee, individually and for their heirs, successors and assignees, for the benefit of the Grantee's property described herein, an easement in, to, upon and over the Grantor's property described herein for the purpose of taking water for domestic purposes, as defined in Oregon law. Nothing contained herein shall be construed as authorizing Grantee to enter upon property controlled by Grantor.

Grantor shall be responsible for all maintenance and repairs of the well, pump and water lines on property controlled by Grantor. Grantor shall, at Grantor's expense, install a meter on the water line to Grantee's parcel and shall bill Grantee on a monthly basis for Grantee's use of the water based upon the rate of \$2.75 per unit of water, with a unit of water being 750 gallons. Grantee shall pay the water bill within ten (10) days of it being sent by Grantor.

Grantor shall not be required to provide power if grid power is down.

Should Grantee fail to make any payment required hereunder, and such failure continue for a period of 30 days following written notice to Grantee of such failure, Grantor may declare this agreement to be forfeited and may record with the Klamath County Clerk a statement so stating. Grantee shall, within 10 days of being served with a notice of forfeiture,

Exhibit A


remove any connection to Grantor's well. Grantee shall be responsible for ensuring that no damage occur to Grantor's well. Should Grantee fail to remove his connection as set forth herein, Grantor may institute proceedings in the Klamath County Circuit Court to compel compliance with this agreement and to recover from Grantee's the cost of removing their connection. Should such an action be filed, the prevailing party shall be entitled to recover their reasonable attorneys fees, whether at trial or on appeal.

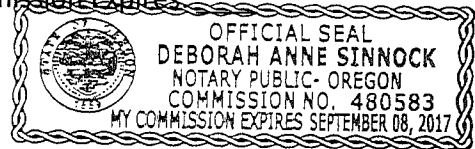

Dominic DeBernardi, Grantee

dated 1/27/2017

Personally appeared Dominic DeBernardi and acknowledged the foregoing instrument to be his true act and deed. Before me:

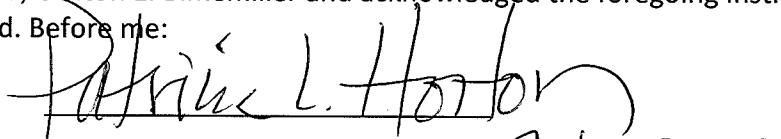



Notary Public for Oregon
My Commission Expires: 9-8-17



Personally appeared, Clinton E. Bimemiller and acknowledged the foregoing instrument to be his true act and deed. Before me:

Notary public for Oregon


My commission expires: 8 Feb 2020

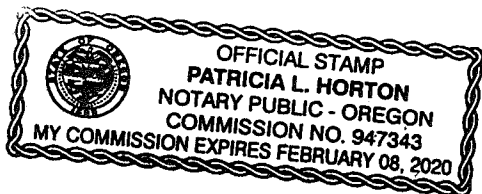


Exhibit A