

AGREEMENT

THIS AGREEMENT, Made this 31st day of July, 1970, by and between HARRY E. KISSLER and MARGARET A. KISSLER, husband and wife, hereinafter referred to as "Kissler", ROBERT E. HUCKFELDT and CAROL S. HUCKFELDT, husband and wife, hereinafter referred to as "Huckfeldt", and MORTON C. RENNELS and FRANCA M. RENNELS, husband and wife, hereinafter referred to as "Rennels",

WITNESSETH:

WHEREAS, Heretofore Kissler has sold the following described real property to Huckfeldt:

The North Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter ($N\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$) of Section Twenty (20), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon,

purusant to a contract of sale; and has sold the following described real property to Rennels:

The South 105 feet of that portion of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 20, Township 15 South, Range 13, East of the Willamette Meridian, lying and being westerly of the West Canyon Rim, crossing said $NE\frac{1}{4}NE\frac{1}{4}$, EXCEPTING therefrom the South 30 feet and the West 30 feet of said parcel reserved for roadway purposes, all in Deschutes County, Oregon,

pursuant to a contract of sale; and

WHEREAS, Kissler now owns and retains the following described real property:

The South Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter ($S\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$) of Section Twenty (20), Township Fifteen (15) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon,

and it has been agreed between all the parties hereto that a well located upon the following described real property:

Situate in the $NE\frac{1}{4}NE\frac{1}{4}$ of Section 20, T. 15 S., R. 13 EWM, Deschutes County, Oregon, more particularly described as follows:

Starting at the NW corner of the said $NE\frac{1}{4}NE\frac{1}{4}$, the initial point; thence $S 0^{\circ} 42' 10'' W.$, along the West line of the said $NE\frac{1}{4}NE\frac{1}{4}$, 456.55 feet; thence $S 86^{\circ} 57' 10'' E.$, 355.20 feet to the center line of the said well;

and a cistern located upon the following described real property:

A concrete cistern 16'x24', situate in the $NE\frac{1}{4}NE\frac{1}{4}$ of Section 20, T. 15 S., R. 13 EWM, in Deschutes County, Oregon, more particularly described as follows: Starting at the NW corner of said $NE\frac{1}{4}NE\frac{1}{4}$, the initial point; thence $S 0^{\circ} 42' 10'' W.$, along the West line of said $NE\frac{1}{4}NE\frac{1}{4}$, 125.80 feet; thence $S 89^{\circ} 17' 50'' E.$, to the NW corner of said cistern and the point of beginning; thence $S 39^{\circ} 17' 10'' E.$,

16 feet; thence S 0° 42' 10" W., 24.00 feet; thence N 89° 17' 50" W., 16.00 feet; thence N 0° 42' 10" E., 24.00 feet to the NW corner of said cistern and the point of beginning,

shall be a common water system to serve all three properties for domestic use.

The parties hereby agree to share all expenses for the maintenance of the well and repairs or replacements of the pump, and also for the maintenance of the cistern; each party shall bear the expense of the maintenance of the water supply pipe from the water system to his place of use.

The provisions of this agreement shall be covenants running with the land of all three parties, and shall burden and benefit the respective properties of each of the parties, their grantees, heirs, successors and assigns.

IN WITNESS WHEREOF, The parties hereto have executed this Agreement in triplicate the day and year first above written.

Harry E. Kissler
HARRY E. KISSLER

Margaret A. Kissler
MARGARET A. KISSLER

Robert E. Huckfeldt
ROBERT E. HUCKFELDT

Carol S. Huckfeldt
CAROL S. HUCKFELDT

Morton E. Rennels
MORTON E. RENNELS

Franca M. Rennels
FRANCA M. RENNELS

STATE OF OREGON)
) ss.
County of Deschutes)

July 31, 1970

Personally appeared the above named Harry E. Kissler, Margaret A. Kissler, Robert E. Huckfeldt, Carol S. Huckfeldt, Morton E. Rennels and Franca M. Rennels, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Louis O. Farleigh
Notary Public for Oregon
My Commission expires May 21, 1973

9466

STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument of writing was acknowledged for Record on the 31st day of July, A.D. 1970, at 10:40 o'clock A.M. and recorded in Book 171 on Page 436 Record of Deeds.

Louis O. Farleigh
County Clerk
By Agnes DeGraf

INDEX