

Water Agreement between

Avion Water Co. and Vo Lan Sum Land Co., a partnership

Vo Lan Sum Land Co., a partnership of 851 NW Wall Street, Bend, Oregon are the owners of: all that portion of Sec 16 Township 17 Range 12 East of W.M. lying east of the right of way of the Oregon Trunk Railway and the EX SEX and the portion of the NEX lying Southeasterly of the Southeasterly right of way of the Oregon Trunk Railway all in Section Nine T17SR12 E.W.M. Deschutes County, Oregon except for deeded right of ways and parcels deeded out, and desire to develop and sell it. The property has a well which is capable of producing 55 gallons per minute. It is estimated that the 55 gallons per minute will serve 55 homes and Avion Water Company agrees that this estimate is sufficiently accurate provided that Vo Lan Sum agrees to also furnish Irrigation water under pressure to each lot through separate mains from Irrigation water rights now pertinent to the land.

In consideration of the mutual covenants of the parties Avion Water Company will proceed with the necessary work to complete the well, reservoir, pumps, distribution system, and other necessary expenditures to serve the 55 homes site and will certify pursuant to O.R.S. 92.090 (4) as needed to sell the 55 lots. Vo Lan Sum will pay all costs to complete the system upon receipt of a bill from Avion. Notwithstanding any other provisions of this contract Avion will be responsible for the paying the power bills and taxes on the water system and provide maintenance and or replacement of the entire system.

Should Vo Lan Sum desire to serve more than 55 lots, additional water must be obtained either by drilling additional wells or interizing with other sources. It is understood that future mutual agreement will be negotiated when additional services are needed.

Vo Lan Sum agrees to furnish a deed for a 100 foot radius around the well which will include the reservoir site. Also, easements for pumping stations and distribution lines for both domestic and irrigation water.

The terms and conditions of this agreement are binding upon the parties, their heirs, assigns and successors in interest, such agreement to run with the land.

Dated

August 1, 1975

Paul C Ramsay (owner)
Avion Water Company

Vo Lan Sum Land Co., a partnership

Omer Summers
Omer Summers, partner

Howard Vogt
Howard Vogt, partner



STATE OF OREGON)
County of Deschutes) ss.

DATED: Aug. 6, 1975

Personally appeared PAUL RAMSAY, Avion Water Company, and acknowledged the foregoing instrument to be their voluntary act. Before me:



STATE OF OREGON)
County of Deschutes) ss.

James L. Lancel
Notary Public for Oregon
My Commission Expires: May 24, 1977

DATED: Aug 6, 1975

Personally appeared HOWARD VOGT, and OMER SUMMERS, partners in Vo Lan Sum Land Company, a partnership, and acknowledged the foregoing instrument to be their voluntary act. Before me:

NOTARY PUBLIC
JAMES L. LANCEL
STATE OF OREGON
COUNTY OF DESCHUTES

James L. Lancel
Notary Public for Oregon
My Commission Expires: May 24, 1977

