

17230

AGREEMENT

COMES NOW, the undersigned, an authorized representative of SOUTH SUBURBAN SANITARY DISTRICT, a duly licensed and registered utility company in the State of Oregon, and DONALD R. FISH and JUNE M. FISH, husband and wife, and in consideration of the mutual covenants and promises contained herein covenant and agree as follows:

1. It is agreed and acknowledged that the parties hereto have executed a partial release of utility easement releasing that portion of said utility easement on which the residence owned by DONALD R. FISH and JUNE M. FISH located on Lot 7, Block 12, Fourth Addition to Winema Gardens, Klamath County, Oregon.
2. That in consideration of DONALD R. FISH and JUNE M. FISH foregoing and waiving their right to have said SOUTH SUBURBAN SANITARY DISTRICT immediately move and remove the utility conduit which is underneath said residence to a portion of said utility easement which is not underneath said residence, the SOUTH SUBURBAN SANITARY DISTRICT hereby expressly covenants and agrees that should there ever be any defect, malfunction, blockage, slippage, or any other problem whatsoever of any kind with said utility conduit which would require its repair or removal, the SOUTH SUBURBAN SANITARY DISTRICT, its heirs,



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successors, or assigns will bear the entire practical and financial responsibility for correcting and alleviating the problem or for moving and removing the pipe and replace the land from which it is removed or on which it is repaired in a condition after the repair or removal similar to that condition prior to the problem.

DATED this 22nd day of June, 1976.

Walter E. Nitzel  
South Suburban Sanitary District  
Authorized Representative

SUBSCRIBED AND SWORN to before me this 22nd day of June, 1976.

Raymond W. Bruce  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 26 Jan 1979

State of Oregon, } ss,  
County of Klamath }

I hereby certify that the within instrument was received and filed for record on the 4th day of August, 19 76, at 3:00 o'clock P. M. and recorded on Page 12021 in Book M76 Records of Deeds of said County.

WM. D. MILNE, County Clerk

By Klay of Klay Deputy

Fee \$6.00

Return to:  
J T Harnish  
136 N. 3rd  
Klamath Falls, Ore