

PUBLIC UTILITY EASEMENT

In addition to any and all other public utility easements existing on the following described property, the City of Klamath Falls hereby reserves unto itself, its successors and assigns, a permanent, non-exclusive, public utility easement for the purpose of constructing, inspecting, repairing, maintaining, replacing or removing all or any part of said public utilities or equipment used there-with; over, across and through the following described lots and blocks located within the Lakeshore Gardens and Lynnewood subdivisions, City of Klamath Falls, Oregon, according to the official plat thereof on file in the records of Klamath County, Oregon:

A 10 foot wide strip of land, lying southwesterly of and parallel and contiguous with the lot line common to Lots 3 and 4, of said Lakeshore Gardens subdivision, and the southeasterly extension of said lot line across Lot 1, Block 11 of said Lynnewood subdivision to the northwesterly right-of-way of Vista Way.

The City also reserves unto itself the right of ingress and egress over the above described parcels for the purposes of this easement.

Subsequent owners of the above described lots and blocks shall not erect any structures, nor plant any trees or shrubs, within the easement areas which would inhibit access to said public utilities or cause damage to them.

The City, its successors or assigns, shall not be liable to the subsequent owners of the above described lots and blocks for damage to the above described premises occurring incidental to the proper use of this easement. Provided, however, in the event of damage to premises outside of and adjacent to the above described parcels caused by

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the City, its successors and assigns, the party causing such damage shall repair same and place said premises in as good condition as they were immediately prior to such damage.

This document shall be binding upon all subsequent purchasers of the above described parcels, the City, and the heirs, successors and assigns, of both.

Dated this 23rd day of November, 1976.

George C. Flitcraft
Mayor

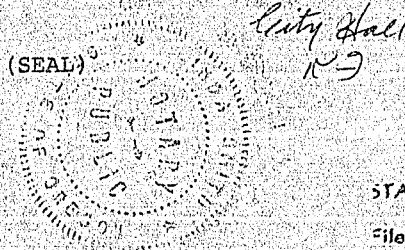
Harold Derrah
Recorder

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared before me the undersigned, a Notary Public for said State, the within named George C. Flitcraft, Mayor, and Harold Derrah, Recorder, both officers of the City of Klamath Falls, Oregon, a municipal corporation, who severally acknowledged that as such Mayor and Recorder and for and on behalf of the City of Klamath Falls, Oregon, they each signed and delivered the foregoing Public Utility Easement on the day and year therein written pursuant to a resolution passed by the Common Council of the City of Klamath Falls, Oregon, on September 20, 1976.

WITNESS my hand and official seal this 23rd day of November, 1976.

(SEAL)



Linda Smith
Notary Public for Oregon
My Commission Expires: 9-19-80

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of CITY OF KLAMATH FALLS OREGON
this 23rd day of NOVEMBER A. D. 1976 at 3:14 o'clock P.M. or
duly recorded in Vol. M 76, of DEEDS on Page 18888

FEE \$ 6.00

Wm D. Milne, County Clerk
By Harold Derrah