

27163

PUBLIC UTILITY EASEMENT

Vol. 11 Page 4948

In addition to any and all other public utility easements existing on the following described property, the City of Klamath Falls, Oregon, 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 therewith; over, across and through the following described lots located within the Lynnewood subdivision, Tract 1091, City of Klamath Falls, Oregon, according to the official plat thereof on file in the records of Klamath County, Oregon:

A 16 foot utility easement, 8 feet wide on each side of the lot line common to Lots 5 and 6, Block 4.

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 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 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 22nd day of March, 1977.

CITY OF KLAMATH FALLS, OREGON

By: George C. Flitcraft MayorBy: Harold Derrah Recorder

STATE OF OREGON,)
COUNTY OF KLAMATH,) SS.
CITY OF KLAMATH FALLS.)

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 the authority of a resolution duly adopted by the Common Council of the City of Klamath Falls, Oregon.

Before me this 22nd day of March, 1977.

Sandra Smith
Notary Public for Oregon 9-19-80

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 24th day of MARCH A.D., 19 77 at 2:36 o'clock P.M., and duly recorded in Vol. M 77 of DEEDS on Page 4948.

FEE \$ 3.00

WM. D. MILNE, County Clerk

By: W. D. Milne Deputy

After Rec
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DATING