

3/13/78

49317

Highway Division
File 49829
M-2298 (2)

PERMANENT SLOPE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That HAROLD E. FREDRICKSON and LEONE J. FREDRICKSON, husband and wife, Grantors for the consideration of the sum of Three Hundred Fifty and No/100 DOLLARS (\$350.00) received, do hereby grant to KLAMATH COUNTY, a political subdivision of the State of Oregon, Grantee, a perpetual easement to construct, maintain, repair, and have free access to all slopes of cuts or fills occasioned by or resulting from the construction, operation or maintenance of Shasta Way and appurtenances, upon the following described property, to wit:

The North 3 feet of the W $\frac{1}{2}$ of Lot 2, Block 1, HOME ACRES, A SUBDIVISION OF ENTERPRISE TRACT NO. 25, Klamath County, Oregon, containing 225 square feet.

IT IS UNDERSTOOD that this easement only conveys the rights expressly stated herein and that Grantors shall be allowed to use the above described property, provided, that Grantors' use does not interfere with the widening and improvement of the South Sixth Street-East Side By-Pass (Klamath Falls) Section of Shasta Way, or damage or destroy lateral support to said public way. It is further understood that Grantee shall never be required to remove the dirt or other materials used for the construction of said slopes nor shall Grantee be subject to any damages to Grantors' their heirs and assigns, by reason thereof, or by reason of the slopes constructed thereon, or by reason of change of grade of said public way abutting Grantors' property.

And Grantors do hereby covenant to and with Grantee, that they are the owners in fee simple of the said property which is free from all encumbrances and will warrant and defend the easement rights herein granted from all lawful claims whatsoever.

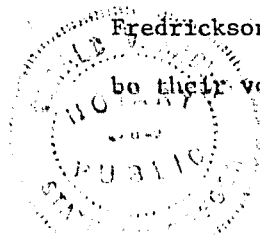
Dated this 18th day of May, 1978.

Harold E. Fredrickson
Leone J. Fredrickson

STATE OF OREGON, County of Klamath

May 18, 1978. Personally appeared the above named Harold E.

Fredrickson and Leone J. Fredrickson, who acknowledged the foregoing instrument to be their voluntary act. Before me:



Gerald V. Brown
Notary Public for Oregon

My Commission expires 11-12-78

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 1st day of June A.D., 1978 at 11:38 o'clock A M., and duly recorded in Vol. MZ8, of Deeds on Page 11669.

FEE \$3.00

WM. D. MILNE, County Clerk
By *Bernice D. Helich* Deputy