

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF KLAMATH FALLS, a municipal corporation, and ERNEST R. SESSOM and DORIS C. SESSOM, husband and wife, herein-after called Grantors, do hereby grant, bargain, sell and convey unto MARCELE LUCAS, Trustee for Pearl Biehn Foster, Linda Michele Lucas, Robin Lisa Lucas and Lori Marcelle Lucas, Beneficiaries under the Trust Agreement dated October 31, 1972, hereinafter called Grantee, and unto Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the City of Klamath Falls, County of Klamath, State of Oregon, described as follows:

The westerly 1 foot of Lot 1 in Block 40 of ORIGINAL TOWN OF LINKVILLE, now CITY OF KLAMATH FALLS, Klamath County, Oregon.

To have and to hold the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

Together with a non-exclusive easement to use a strip of land one foot wide running the length of and adjacent to the above described property:

The terms of this easement are as follows:

- 1) Grantee, her agents, independent contractors and invitees shall use the easement strip for purposes of constructing, inspecting, repairing, maintaining and altering underground drains and/or electrical service lines only, and shall have the right of reasonable ingress and egress over grantors' adjoining property for the purpose of this easement.
- 2) Grantee agrees to indemnify and defend Grantors from any loss, claim, or liability to grantor arising in any manner out of grantee's use of the easement strip.
- 3) In the event of damage to improvements of grantors, whether within or adjacent to the easement strip, occurring incidental to Grantee's use of this easement, Grantee agrees to repair same and place said premises and improvements in as good condition as they were immediately prior to such damage as determined by Grantors.
- 4) Grantors reserve the right to make such use of the land encompassed in the easement strip for parking lot purposes.
- 5) At such time as the City of Klamath Falls obtains warranty title to Lot 1 in Block 40 of the Original Town of Linkville, now City of Klamath Falls, Klamath County, Oregon, this easement shall become perpetual and shall run with and be appurtenant to the land deeded and described above. Prior to this time and after a default by the City of Klamath Falls in the terms of the Land Sales Contract recorded February 21, 1978, and filed in Volume M-78 at Page 3198 of the Deed Records in the office of the Clerk of Klamath County, Oregon, ERNEST R. SESSOM and DORIS C. SESSOM may revoke this easement at any time upon 30 days written notice to Grantee.
- 6) This easement is granted subject to all prior easements or encumbrances of record.

The true and actual consideration paid for this transfer is ONE DOLLAR (\$1.00).

In construing this deed-easement and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and individuals.

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO:

Return
 Marcelle Lucas
 2033 Huron
 Klamath Falls, OR 97601

IN WITNESS WHEREOF, the municipal Grantor has executed this instrument this 15th day of October, 1979; and has caused its name to be signed and seal affixed by its officers, duly authorized thereto by motion passed by the Common Council of the City of Klamath Falls, Oregon.

CITY OF KLAMATH FALLS, by:

George C. Flitcraft
Mayor

Harold Derrah
Recorder

ERNEST R. SESSOM and DORIS C. SESSOM, husband and wife, Grantors, have executed this instrument this 30th day of October, 1979.

Ernest R. Sessom
Ernest R. Sessom
Doris C. Sessom
Doris C. Sessom

STATE OF OREGON)
County of Klamath) ss.

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 Bargain and Sale Deed on the day and year therein written pursuant to a motion passed by the Common Council of the City of Klamath Falls, Oregon.

WITNESS my hand and official seal this 15th day of October, 1979.

Margaret Corner
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/20/82

STATE OF OREGON)
County of Klamath) ss.

Personally appeared before me the undersigned, a Notary Public for said State, the within named ERNEST R. SESSOM and DORIS C. SESSOM known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

WITNESS my hand and official seal this 30th day of October, 1979.

Sylvia C. Lesaen
NOTARY PUBLIC FOR OREGON
My Commission Expires: 10-25-82

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 30th day of January A.D., 19 80 at 11:12 o'clock A M., and duly recorded in Vol. M80 of Deeds on Page 1883.

FEE \$7.00

WM. D. MILNE, County Clerk
By Bernetha Shetch Deputy