

The City of Klamath Falls, Oregon, a municipal corporation (hereinafter referred to as "City") and William N. Deets and Frances M. Deets, Darrell Lynn Grabenstein and Mary Elizabeth Grabenstein, Roger Rivenes and Dellane Rivenes, Jeffrey T. Bickford, and Richard L. Zwiener and Dorothy R. Zwiener, all of Klamath Falls, Oregon (hereinafter referred to as "Grantees") for and in consideration of the covenants and conditions hereinafter set forth, agree as follows:

City hereby gives and grants to Grantees, their successors and assigns, upon the terms and subject to the conditions hereinafter set forth in this agreement, non-exclusive permission to encroach upon a portion of Manzanita Street right-of-way for the purpose of installing two 1½" geothermal water line pipes to serve Lots 1, 2, 3, and 7, Block 29, and the East 90 feet of Lot 6, Block 30, all in Hot Springs Addition to the City of Klamath Falls, Klamath County, Oregon, according to the following conditions:

- 1) Grantees shall obtain the approval by the City's Department of Public Works of the construction plans within the Manzanita Street right-of-way prior to construction.
- 2) Grantees shall file completed as-built drawings of the geothermal water line pipes installation with said Department of Water Works.
- 3) The above mentioned pipes shall be limited to serving the above described lots.

Grantees agree to pay to City as compensation for the privileges herein granted, the sum of \$25.00, receipt of which is hereby acknowledged by City.

Grantees shall save and hold harmless the City from and indemnify the City against any and all liability for or on account of any death or injury to persons, or damage to property incurred in any manner whatsoever growing out of Grantees' use or loss of the privileges herein granted.

This agreement may be terminated upon thirty (30) days written notice by either party. Upon termination, Grantees shall remove the entire water line structure herein authorized and restore the public right-of-way in accordance with the directions of the City's Director of Public Works within thirty (30) days.

18065

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be
executed this 5th day of October, 1981.

CITY OF KLAMATH FALLS

By: George C. Hitecraft
Mayor

Attest: [Signature]
Recorder

GRANTEES

William N. Deets
William N. Deets

Frances M. Deets
Frances M. Deets

Darrel Lynn Grabenstein
Darrel Lynn Grabenstein

Mary Elizabeth Grabenstein
Mary Elizabeth Grabenstein

Roger Rivenes
Roger Rivenes

Dellane Rivenes
Dellane Rivenes

Jeffrey T. Bickford
Jeffrey T. Bickford

Richard L. Wiener
Richard L. Wiener

Dorothy R. Wiener
Dorothy R. Wiener

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of City of Klamath Falls,
this 15th day of October A.D. 19 81 at 10:15 clock A.M., and
duly recorded in Vol. M-81, of Deeds on Page 18064

By [Signature] EVELYN BIEHN, County Clerk

Fee \$8.00

AFTER RECORDING, RETURN TO:
City Recorder
City of Klamath Falls
Klamath Falls, OR