

21318

SEWER
EASEMENT

Vol. M63 Page 3781

KNOW ALL MEN BY THESE PRESENTS, that Mildred Hand and Delmar and Joan Hand grantors, in consideration of the sum of Two Thousand Three Hundred Fifty and no/100 Dollars (\$2,350.00), receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to the CITY OF KLAMATH FALLS, OREGON, grantee, a permanent non-exclusive easement for the purpose of installing, inspecting, repairing, maintaining, altering and operating City sewer and water lines and all necessary appurtenances in, into, upon, over, across and under a strip of land described as follows:

A strip of land lying in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12, Township 39 South, Range 8 East, Willamette Meridian, Klamath County, Oregon and being a portion of that property described by Volume M66, Page 1093 of the official records of Klamath County, and being more particularly described as follows:

Beginning at the Southwest corner of Lot 1, Block 1, of Stewart as shown and recorded in Book 9, Page 29, of the official Klamath County records; thence Northerly along the Westerly boundary of said Stewart, 906.66 feet to the Southwest corner of Lot 22, Block 9, of said Stewart; thence South 73° 45' 29" West along the Westerly projection of the Southerly line of Lot 22, Block 9, of said Stewart, 25.01 feet to a point; thence South 00° 07' 46" West along a line that is 24.00 feet Westerly measured at right angles, and parallel to the Westerly boundary of said Stewart, 185.27 feet to a point; thence South 00° 03' 12" West along said parallel line 383.71 feet to a point; thence North 88° 52' 37" West, 1268.28 feet to a point bearing South 88° 52' 37" East, 50.00 feet from the West line of the Northeast quarter of the Southeast quarter of Section 12, Township 39 South, Range 8 East, Willamette Meridian; thence South 01° 22' 10" West along a line parallel to said West line, 25.00 feet to a point; thence South 88° 52' 37" East, 1268.86 feet to a point which is 24.00 feet Westerly measured at right angles from the Westerly boundary of said Stewart; thence South 00° 02' 34" West along a line that is 24.00 feet Westerly measured at right angles and parallel to the Westerly boundary of said Stewart, 312.69 feet to a point on the Northerly right-of-way line of the Greensprings Highway No. 66; thence along said Northerly right-of-way line North 73° 43' 38" East, 25.01 feet to the point of beginning.

together with the right of ingress and egress over grantors adjoining lands for the purposes of this easement.

Grantors shall not erect any building within the easement area which would inhibit access to said City lines nor plant any willow or poplar trees within the easement area.

The City, its successors or assigns, shall not be liable to grantors 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 parcel 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 parcel, the City, and the heirs, successors and assigns, of both.

IN WITNESS WHEREOF, We have hereunto set our hands this 4 day of

February, 1983.

Mildred Hand

Delmar Hand

Joan Hand

February 4, 1983

STATE OF OREGON)
County of Marion) SS.

Personally appeared the above named Mildred Hand and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me: Len D. Pratt
Notary Public for Oregon
My commission expires: 2/10/85

STATE OF OREGON)
County of Marion) SS.

Personally appeared the above named Delmar and Joan Hand and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: John L. Peterson
Notary Public for Oregon
My commission expires: 12-16-83

KNOW ALL MEN BY THESE PRESENTS, That Mildred Hand and Delmar Hand and Joan Hand as tenants in common, hereinafter called the grantors, for the consideration hereinafter stated, to grantors paid by the City of Klamath Falls, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, herditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

A parcel of land lying in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12, Township 39 South, Range 8 East, Willamette Meridian, Klamath County, Oregon and being a portion of the property described by Vol. M66, Page 1093 of the official records of Klamath County, and being more particularly described as follows:

Beginning at the Northwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12, Township 39 South, Range 8 East, Willamette Meridian; thence along the 1/16th line South 01° 22' 10" West, 804.51 feet to a point; said point bearing North 4° 57' 06" East, 486.21 feet from the axle marking the Southeast corner of Dewitt Home Tracts as shown and recorded in Book 6 Page 21 of the official records of Klamath County; thence South 88° 52' 37" East, 30.00 feet to a point, said point being the true point of beginning; thence continuing South 88° 52' 37" East, 50.00 feet to a point; thence South 01° 22' 10" West, 53.00 feet to a point; thence North 88° 52' 37" West, 50.00 feet to a point; thence North 01° 22' 10" East, 53.00 feet to the true point of beginning.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantors hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantors are lawfully seized in fee simple of the above granted premise, free from all encumbrances and that grantors will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$2,900.00.

In construing this deed 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 to individuals.

IN WITNESS WHEREOF, the grantors have executed this instrument this 4 day of February, 1983.

Mildred Hand

Delmar Hand
Joan Hand

STATE OF OREGON)
) ss.
County of Klamath

February 4, 1983

Personally appeared the above named Mildred Hand and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:
[Signature]
Notary Public for Oregon
My commission expires: 2/14/85

After recording return to:
City of Klamath Falls
P. O. Box 237
Klamath Falls, OR 97601

STATE OF OREGON)
) ss.
County of Klamath

February 11, 1983

Personally appeared the above named Delmar Hand and Joan Hand and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:
[Signature]
Notary Public for Oregon
My commission expires: 2-21-87

Until a change is requested all tax statements shall be sent to the following address.
City of Klamath Falls
P. O. Box 237
Klamath Falls, OR 97601

STATE OF OREGON: COUNTY OF KLAMATH :ss
I hereby certify that the within instrument was received and filed for record on the 14th day of March A.D., 1983 at 9:08 o'clock A M, and duly recorded in Vol M83, of Deeds on page 3781.

Fee \$ 12.00

EVELYN BIEHN COUNTY CLERK
by Bernetha A. Detel Deputy