

The City of Klamath Falls, Oregon, a municipal corporation (hereinafter referred to as "City") and Merle West Medical Center, an Oregon non-profit corporation of Klamath Falls, Oregon (hereinafter referred to as "Grantee") for and in consideration of the covenants and conditions hereinafter set forth, agree as follows:

City hereby gives and grants to Grantee, its successor and assign, upon the terms and subject to the conditions hereinafter set forth in this agreement, permission to encroach upon a portion of the Daggett Street and Uhrmann road as shown on the attached Exhibit A for the purpose of installing two below ground computer <sup>PHONE</sup> conduit lines.

Grantor expressly reserves the right to enter the right-of-way area for the purpose of installing, maintaining, repairing and replacing utility lines and other public improvements without any liability to Grantee for damage or destruction of Grantee's property within the encroachment area.

Grantee shall obtain the approval by the City's Department of Public Works of the construction plans within the said street rights-of-way prior to construction.

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

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

This agreement may be terminated upon thirty (30) days written notice by either party.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed this 12 day of February, 19 85.

CITY OF KLAMATH FALLS

MERLE WEST MEDICAL CENTER

By Bertha ValtmanBy Daniel P. Asch

Mayor Pro-Tem

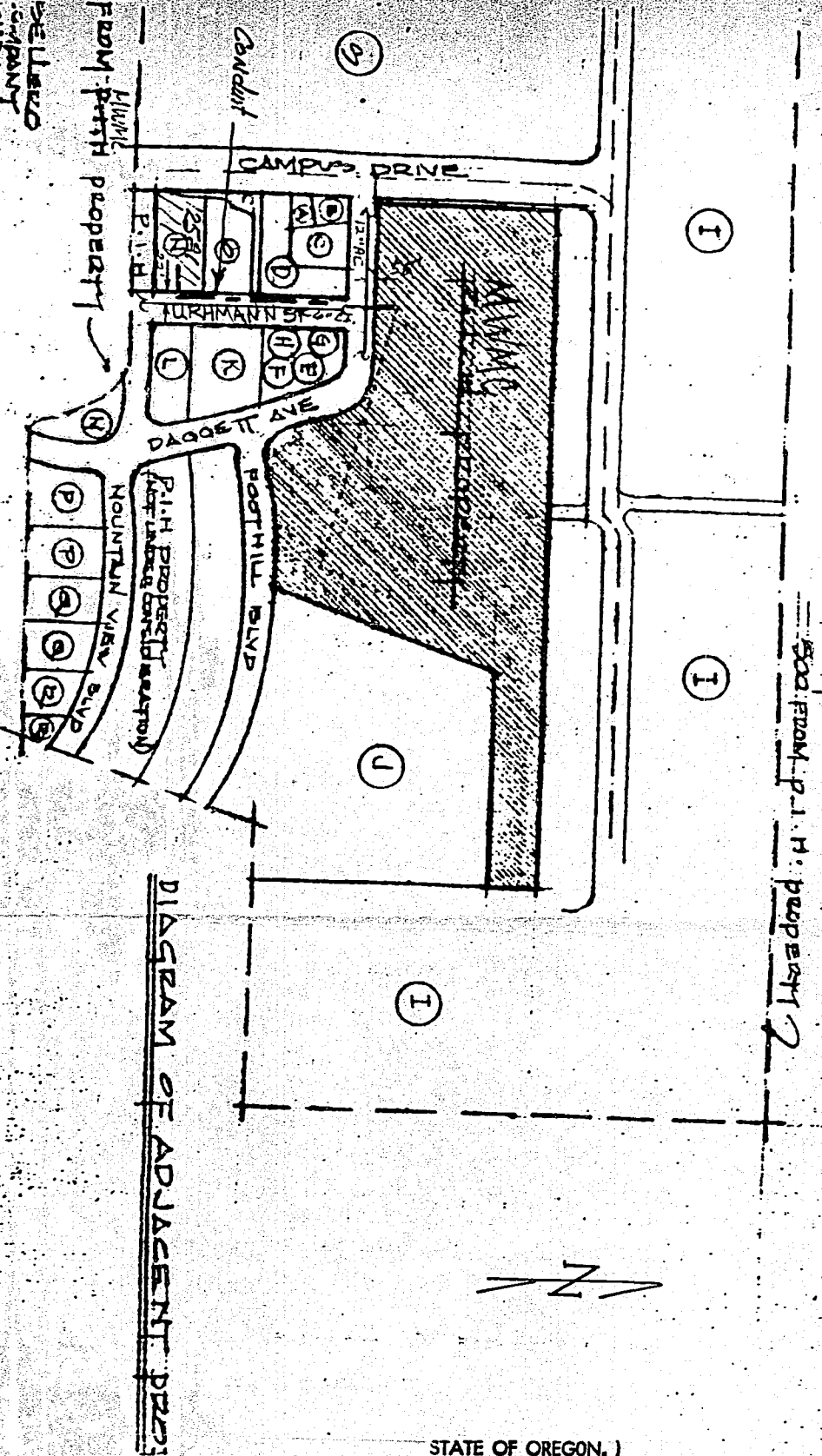
Attest: Barren FowlerAttest: [Signature]

Recorder

85 APR 24 AM 8 35

5908

Sewers located in center of Uhlmann  
Water as indicated



DEVELOPER  
COMPANY  
21415511  
5700N. 9700N

Buy Capital Market assets directly from Uhlmann as directed by city.  
To prep. purchased from the Bureau by Wende West Medical Center  
Jury

DIAGRAM OF ADJACENT PROPERTIES

STATE OF OREGON, )  
County of Klamath )

Filed for record at request of

on this 24th day of April A.D. 19 85  
at 8:35 o'clock A M, and duly  
recorded in Vol. M85 of Deeds  
Page 5907

**EVELYN BIEHN, County Clerk**

By Ron Smith Deputy

Fee \$9.00

After Recording Return To:

City of Klamath Falls  
P.O. Box 237  
Klamath Falls, OR 97601  
Attn: Donna