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EASEMENT

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KNOW ALL MEN BY THESE PRESENTS, Joyce K. Ward, hereinafter called the "GRANTOR", does hereby grant and convey to the CITY OF KLAMATH FALLS, OREGON hereinafter called the "GRANTEE", its successors and assigns, an exclusive utility easement ten (10) feet wide, over under and across that property conveyed to the Grantor by deed M69-8553/8555 of the Klamath County deed records. The easement for the purpose of laying, constructing, operating, maintaining, changing, relocating, removing and/or replacing a geothermal pipeline and necessary connections to Grantor's geothermal heating system to capture all of the geothermal discharge from said system, and all necessary or desirable appurtenances thereto, is described as follows:

A strip of land ten (10) feet wide, lying five (5) feet on each side of the following described centerline:
Beginning at a point on the northerly line of Main Street, said point being S.89°18'E. a distance of 902.2 feet from the southeast corner of Block 57, Second Hot Springs Addition to the city of Klamath Falls, Oregon; thence N.00°42'E., 100.00 feet; thence N.59°55'06"E., 35.40 feet to the end of said 10 foot wide easement.

TOGETHER with the right of ingress to and egress from said easement upon and across the property covered by said easement, and such other property adjacent thereto and owned by the Grantor as is necessary to gain access to the property covered by said easement for the purpose of exercising any and all rights hereby granted. Grantor reserves and retains the right to use said easement in any manner and for any purpose which does not interfere with the proper exercise of the rights hereby granted to the Grantee, but Grantor agrees not to build, maintain or construct nor to permit the building, maintenance or construction of any obstruction, building, engineering works or other structure on said easement.

IN CONSIDERATION for this easement, Grantee shall assume the responsibility of disposing of the captured geothermal water in a manner consistent with all applicable local, state and federal rules and regulations, and shall save and hold Grantor harmless from any claim or responsibility arising out of the use or disposal of said recaptured geothermal waters.

TO HAVE AND TO HOLD said easement unto said Grantee, its successors and assigns forever, and the Grantor hereby warrants that she is the owner in fee simple of said above described property and have good right to grant and convey said easement therein.

WITNESS my hand this 25th day of April, 1986.

Joyce K. Ward
Joyce K. Ward

On this 25th day of April, 1986, personally appeared before me the within named Joyce K. Ward, who is known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that she executed the same freely and voluntarily.



Isaac Rodriguez
Notary Public for Oregon
My Commission expires: 4-24-87
After recording, return to:
City Recorder, P. O. Box 237, City

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 19th day
of June A.D. 19 86 at 3:14 o'clock P M., and duly recorded in Vol. M86
of _____ Deeds on Page 10670

FEE \$5.00

Evelyn Biehn, County Clerk
By Ann Smith