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EASEMENT

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KNOW ALL MEN BY THESE PRESENTS, Betty M. Hart, 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 six (6) feet wide, over under and across that property conveyed to the Grantor by deed M79-21761 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 six (6) feet wide, lying three (3) feet on each side of the following described centerline:
Beginning at a point on the east line of Lot 15, Block 57, Second Hot Springs Addition to the city of Klamath Falls, Oregon, said point being NORTH along the east line of Lot 15 a distance of 164.00 feet; thence N.49°01'00"W., 10.00 feet to the end of said 6 foot easement, with bearings based on the east line of Lot 15 as being NORTH.

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 29 day of April, 1986.

Betty M. Hart
Betty M. Hart

On this 29th day of April, 1986, personally appeared before me the within named Betty M. Hart, 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.

Isabel Rodriguez
Notary Public for Oregon

My Commission expires: 4-24-87

After recording, return to:
City Recorder, P.O. Box 237, City 97601

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of June A.D. 19 86 at 3:14 o'clock P M., and duly recorded in Vol. _____
of _____ Deeds on Page 10671 M86.

FEE \$5.00

Evelyn Biehn, County Clerk
By [Signature]