

KNOW ALL PERSONS BY THESE PRESENTS, that JAMES H. PATTON (grantor), does hereby grant, bargain, sell and convey to the CITY OF KLAMATH FALLS, OREGON (City) a perpetual restrictive easement over and under on the following parcel of land:

That portion of Lot 1, Block 2, Tract 1203 - "Country Village" situated in the NE1/4 NE1/4 of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, lying within a 50 foot radius circle. The radius point of said circle is NORTH, 162.62 feet and N. 62°12'45" E., 53.1 feet from the southwest corner of said Lot 1.

The purpose of said easement is the protection of a deep water well and no pit privy, subsurface sewage disposal drain field, cesspool, solid waste disposal site, pressure sewer line, gravity sewer line, septic tank, buried fuel storage tank, or any other similar public health hazard shall be permitted within said easement area.

The consideration for this easement from City to Grantor is as follows:

- 1) City waiver of one residential sanitary sewer connection fee as set forth in attached Exhibit "A" incorporated herein by this reference; and
- 2) Grantee's use of water from the deep water well protected hereunder for irrigation and stock watering purposes up to 500,000 gallons per year for fifteen (15) years from the date of this easement at no cost to Grantee, to be used only on Lot 1, Block 2, Tract 1203 - "Country Village" in Klamath County, Oregon.

This easement shall run with the land and shall be binding upon all subsequent purchasers and owners of the above-described parcel.

IN WITNESS WHEREOF, Grantor has hereunto set his hand this 15th
day of May, 1986.

STATE OF OREGON

County of Klamath

JAMES H. FATTON

Personally appeared the above named JAMES H. PATTON and acknowledged the foregoing instrument to be his voluntary act and deed.

UB 210
BEFORE ME

NOTARY PUBLIC FOR OREGON

My Commission Expires: 5-17-89

10673

SANITARY SEWER HOOK-UP FEE WAIVER

FOR AND IN CONSIDERATION of the sanitary sewer easement herewith transferred by JAMES H. PATTON Grantee, to the City of Klamath Falls over Grantee's lands, the City of Klamath Falls hereby grants onto Grantee one residential sanitary sewer hook-up without payment of any hook-up fee to City. Grantee may utilize said free hook-up at any time by presenting this document to the City's Public Works Director. Provided, however, said sanitary sewer hook-up shall be otherwise subject to all applicable City rules and regulations pertaining to such hook-ups as may be effect at the time the hook-up is made.

DATED this 15 day of May, 1986

CITY OF KLAMATH FALLS, OREGON

By: George C. Filtcraft

Attest: J. D. B. Q.

AFTER RECORDING, RETURN TO:

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

EXHIBIT "A"

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of June of June A.D., 19 86 at 3:14 o'clock P M., and duly recorded in Vol. M86 day 19th of Deeds on Page 10672

FEE \$9.00

Evelyn Biehn, County Clerk

By Pam Smith