

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, Edward J. White and Kitty L. White, husband and wife, hereinafter called the "GRANTORS", do hereby grant and convey to the CITY OF KLAMATH FALLS, OREGON hereinafter called the "GRANTEE", its successors and assigns, two exclusive utility easements, over, under and across that property conveyed to the Grantors by deed M85-20074 of the Klamath County deed records. The two adjoining easements for the purpose of laying, constructing, operating, maintaining, changing, relocating, removing and/or replacing a geothermal pipeline and necessary connections to Grantors' geothermal heating system to capture all of the geothermal discharge from said system, and all necessary or desirable appurtenances thereto, are described as follows:

EASEMENT NO. 1:

A strip of land five (5) feet wide, lying two and one-half (2.5) 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 1132.5 feet from the southeast corner of Block 57, Second Hot Springs Addition to the city of Klamath Falls, Oregon; thence N.00°42'E., 33.00 along a line parallel with and 9.0 feet westerly of the east line of the property described as Parcel 1 in the above stated deed; thence N.11°50'34"E., 33.63 feet to a point; thence N.00°42'E., 63.45 feet, along a line parallel with and 2.5 feet westerly of the said east line to a point, said point being N.00°42'E., 129.45 feet and N.89°18'W., 2.5 feet from the southeast corner of said Parcel 1, said point also being the end of said 5 foot wide easement.

EASEMENT NO. 2:

A strip of land ten (10) feet wide, lying five (5) feet on each side of the following described centerline:

Beginning at a point which is S.89°18'E. a distance of 1141.5 feet along the northerly line of Main Street and N.00°42'E., 129.45 feet from the southeast corner of Block 57, Second Hot Springs Addition to the city of Klamath Falls, Oregon; thence N.00°42'E., 11.00 feet to the end of said 10 foot wide easement.

TOGETHER with the right of ingress to and egress from said easements upon and across the property covered by said easements, and such other property adjacent thereto and owned by the Grantors as is necessary to gain access to the property covered by said easements for the purpose of exercising any and all rights hereby granted. Grantors reserve and retain the right to use said easements in any manner and for any purpose which does not interfere with the proper exercise of the rights hereby granted to the Grantee, but Grantors agree 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 easements.

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

TO HAVE AND TO HOLD said easements unto said Grantee, its successors and assigns forever, and the Grantors hereby warrant that they are the owners in fee simple of said above described property and have good right to grant and convey said easements therein.

WITNESS our hands this 1st day of May, 1986.

Edward J. White
Edward J. White

Kitty L. White
Kitty L. White

On this 1st day of May, 1986, personally appeared before me the within named Edward J. White and Kitty L. White, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

Fernie L. Stockton
Notary Public for Oregon
My Commission expires: 3-14-87

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

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 10674

FEE \$9.00

Evelyn Biehn, County Clerk
By Pam Smith