

63796

EASEMENT

Rm 884-4629

Reel 882-8214

Vol. M86 Page 12596

KNOW ALL MEN BY THESE PRESENTS, Harriet A. Worden, Ronald C. Friesen and Rodney J. Friesen, hereinafter called the "GRANTORS", do 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 Grantor Harriet A. Worden by deed M84-14118 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 Grantors' 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 east line of Lot 7, Block 4, Williams Addition to the City of Klamath Falls, Oregon, said point being northerly 108.00 feet from the southeast corner of said Lot 7; thence westerly, at right angles to the east line of said Lot 7, a distance of 15.0 feet to the end of said 10 foot easement.

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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 Grantors as is necessary to gain access to the property covered by said easement for the purpose of exercising any and all rights hereby granted. Grantors reserve and retain 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 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 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 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 easement 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 easement therein.

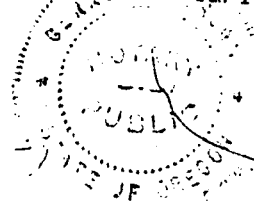
WITNESS our hands this 23 day of May, 1986.

Harriet A. Worden
HARRIET A. WORDEN

Ronald C. Friesen
RONALD C. FRIESEN

Rodney J. Friesen
RODNEY J. FRIESEN

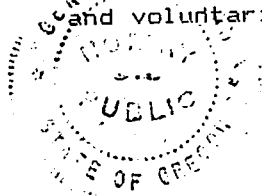
On this 23rd day of May, 1986, personally appeared before me the within named Harriet A. Worden, who is known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that she executed the same freely and voluntarily.



Gerald V. Brown
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11-12-86

CH 22
13-22

On this 23rd day of May, 1986, personally appeared before me the within named Ronald C. Friesen, who is known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily.



Gerald V. Brown
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11-12-86

On this 23rd day of May, 1986, personally appeared before me the within named Rodney J. Friesen, who is known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily.



Gerald V. Brown
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11-12-86

CONSENT TO EASEMENT

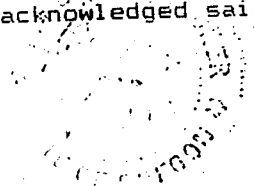
Klamath First Federal Savings & Loan Association, the holder of various recorded security interests in the property burdened by the above described easement, hereby gives its consent to the grant of the above easement.

KLAMATH FIRST FEDERAL SAVINGS
& LOAN ASSOCIATION

BY: James D. Bocchi, Pres.
ATTEST: Gerald V. Brown, Sec.

STATE OF OREGON, County of Klamath) ss. June 11, 1986

Personally appeared James D. Bocchi and Gerald V. Brown who, being duly sworn, each for himself and not one for the other, did say that the former is the President and that the latter is the Secretary of KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.



Darlene J. Tucker
NOTARY PUBLIC FOR OREGON
My Commission Expires: 6/16/88

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

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of July A.D., 19 86 at 11:19 o'clock AM. and duly recorded in Vol. M86,
of Deeds on Page 12596.

FEE \$13.00

Evelyn Biehn, County Clerk
By Pam Smith