

## E A S E M E N T

KNOW ALL MEN BY THESE PRESENTS, that J.F. & Shirley Matthews , of the County of Klamath, State of Oregon, hereinafter called the "GRANTORS", in consideration of the sum of One Dollar (\$1.00) paid to them by the CITY OF KLAMATH FALLS, OREGON, hereinafter called the "GRANTEE", the receipt of which is hereby acknowledged, do hereby grant and convey to said Grantee, its successors and assigns, an exclusive utility easement ten (10) feet in width for the purpose of operating, maintaining, changing, relocating, removing, and/or replacing the existing water mains, and necessary or desirable appurtenance thereto, over, under and across a ten (10) foot strip of land lying Easterly of the following described line, to wit:

Lying parallel with and ten (10) feet Westerly of the Easterly line of Lot 4 , Block 11, Third Addition to Moyina.

TOGETHER with the right of ingress to and egress from said easement upon and across the above described real property for the purpose of exercising any and all rights hereby granted. All mains and pipelines shall be laid at least thirty (30) inches below the surface of the ground, and the 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, not including driveways. In return Grantee agrees to restore the easement to its prior condition in the event that excavation is necessary.

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 easement therein. In the event Grantee abandons the easement for a period of six (6) months, this easement shall terminate.

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IN WITNESS WHEREOF the Grantors have hereto set their hands and seals this  
22 day of October 19 84.

J. F. Matthews (SEAL)

Shirley C. Matthews (SEAL)

STATE OF OREGON )  
 County of Klamath ) ss

On this 22 day of October 19 84, personally appeared the above  
 named J. F. and Shirley Matthews, and acknowledged  
 the foregoing instrument to be their voluntary act and deed.

Before me:

Milmetta C. Earl  
 Notary Public for Oregon  
 My commission expires: 11/24/85

After recording, return to:  
 City Recorder-Klamath Falls  
 500 Klamath Avenue  
 Klamath Falls, OR 97601

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_  
 of October A.D., 19 86 at 9:21 o'clock A M., and duly recorded in Vol. M86,  
 of Deeds on Page 18366

FEE \$9.00

Evelyn Biehn, County Clerk  
 By Sam Smith