

69807

## UTILITY EASEMENT

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86 DEC 28 PM 4 10

KNOW ALL MEN BY THESE PRESENTS, that Al Schrieber, Billee Schrieber, Gene R. Byrnes, James Ray Byrnes, Kathe L. Byrnes, Gene A. Schrieber, Michelle R. Gratz, James M. Byrnes, and Shannon G. Byrnes (Grantors), in consideration of the sum of One Dollar (\$1.00) receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to the CITY OF KLAMATH FALLS, OREGON, grantee, a permanent non-exclusive easement for the purpose of installing, inspecting, repairing, maintaining, altering and operating City water, sewer and other utility lines and all necessary appurtenances in, into, upon, over, across and under a strip of land described as follows:

The southerly 20 feet of a strip of land 100 feet wide, the centerline of which is described as follows:

Beginning at a point on the east line of Section 18, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, said point being the intersection of said east line and the centerline of Northern Heights Boulevard as shown on Tract 1174-College Industrial Park; thence S.66°02'50"W., along the southwesterly extension of the centerline of said Northern Heights Boulevard a distance of 265.00 feet to the beginning of a 2000.00 foot radius curve concave to the northwest; thence southwesterly along the arc of said curve 523.60 feet (central angle of said curve = 15°00'00") to the beginning of a reverse curve concave to the southeast having a radius of 1000.00 feet; thence southwesterly along the arc of said curve 523.60 feet (central angle of said curve = 30°00'00") to the end of said curve; thence S.51°02'50"W., 122.47 feet to a point on the northeasterly right of way line of The Dalles-California highway as shown on record of survey no. 3536, said point being N.78°45'24"W., 1319.19 feet from the southeast corner of said Section 18.

The side lines of said strip to be shortened or lengthened to terminate on the beginning and ending lines as described above. Bearings are based on the east line of Section 18 as shown on the plat of Tract 1174-College Industrial Park.

Together with the right of ingress and egress over grantors' adjoining lands for the purposes of this easement.

Grantors shall not erect any structures, nor plant any trees or shrubs, within the easement area which would inhibit access to said City utility lines or cause damage to them.

24008

The City, its successors or assigns, shall not be liable to grantors for damage to the above described premises occurring incidental to the proper use of this easement. Provided, however, in the event of damage to premises outside of and adjacent to the above described parcel caused by the City, its successors and assigns, the party causing such damage shall repair same and place said premises in as good condition as they were immediately prior to such damage.

This document shall be binding upon all subsequent purchasers of the above described parcel, the City, and the heirs, successors and assigns, of both.

IN WITNESS WHEREOF, We have hereunto set Our hands this 25<sup>th</sup> day of November, 1986.

Al Schrieber  
Al Schrieber

Billee Schrieber  
Billee Schrieber

Gene R. Byrnes  
Gene R. Byrnes

James Ray Byrnes by  
James Ray Byrnes Gene R. Byrnes atty-in-fact

Kathe L. Byrnes  
Kathe L. Byrnes

Gene A. Schrieber  
Gene A. Schrieber  
by Gene Schrieber P.O.A.

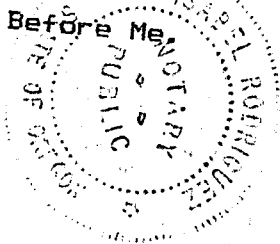
Michelle R. Gratz  
Michelle R. Gratz

James M. Byrnes by  
James M. Byrnes Gene R. Byrnes, P.O.A.

Shannon G. Byrnes  
Shannon G. Byrnes  
of Gene R. Byrnes, P.O.A.

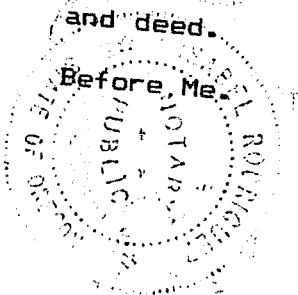
STATE OF )  
County of ) ss

On this 25<sup>th</sup> day of November, 1986,  
personally appeared the above named Al Schrieber, and  
acknowledged the foregoing instrument to be their voluntary act  
and deed.



Isabel Rodriguez  
Notary Public for Oregon  
My Commission Expires: 4-24-87

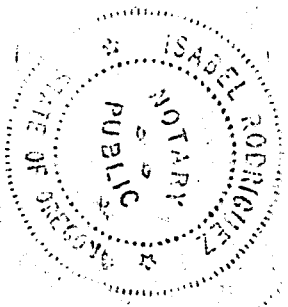
On this 25<sup>th</sup> day of November, 1986,  
personally appeared the above named Billee Schrieber, and  
acknowledged the foregoing instrument to be their voluntary act  
and deed.



Isabel Rodriguez  
Notary Public for Oregon  
My Commission Expires: 4-24-87

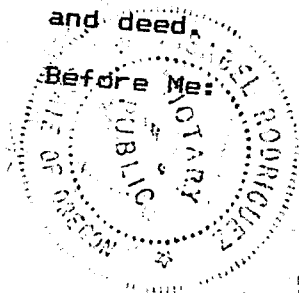
On this 20<sup>th</sup> day of November, 1986,  
personally appeared the above named Gene R. Byrnes, and  
acknowledged the foregoing instrument to be their voluntary act  
and deed.

Before Me.



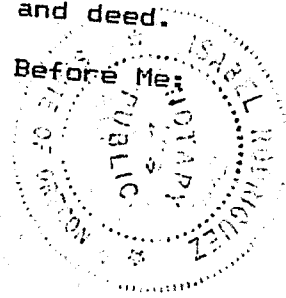
Isabel Rodriguez  
Notary Public for Oregon  
My Commission Expires: 4-24-87

On this 20<sup>th</sup> day of November, 1986,  
 personally appeared the above named James Ray Byrnes, and  
 acknowledged the foregoing instrument to be their voluntary act  
 and deed.



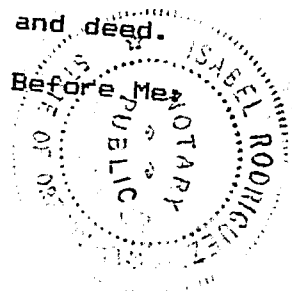
Isabel Rodriguez  
 Notary Public for Oregon  
 My Commission Expires: 4-24-87

On this 25<sup>th</sup> day of November, 1986,  
 personally appeared the above named Kathe L. Byrnes, and  
 acknowledged the foregoing instrument to be their voluntary act  
 and deed.



Isabel Rodriguez  
 Notary Public for Oregon  
 My Commission Expires: 4-24-87

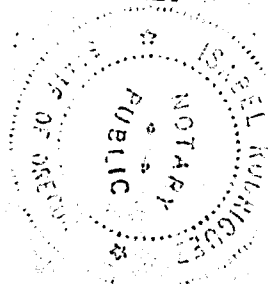
On this 25<sup>th</sup> day of November, 1986,  
 personally appeared the above named Gene A. Schrieber, and  
 acknowledged the foregoing instrument to be their voluntary act  
 and deed.



Isabel Rodriguez  
 Notary Public for Oregon  
 My Commission Expires: 4-24-87

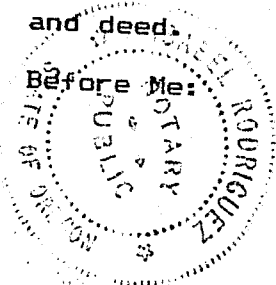
On this 25<sup>th</sup> day of November, 1986,  
 personally appeared the above named Michelle R. Gratz, and  
 acknowledged the foregoing instrument to be their voluntary act  
 and deed.

Before Me:



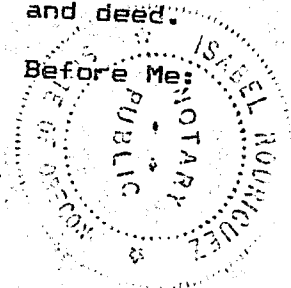
Isabel Rodriguez  
 Notary Public for Oregon  
 My Commission Expires: 4-24-87

On this 20<sup>th</sup> day of November, 1986,  
personally appeared the above named James M. Byrnes, and  
acknowledged the foregoing instrument to be their voluntary act  
and deed.



Isabel Rodriguez  
Notary Public for Oregon  
My Commission Expires: 4-24-87

On this 25<sup>th</sup> day of November, 1986,  
personally appeared the above named Shannon G. Byrnes, and  
acknowledged the foregoing instrument to be their voluntary act  
and deed.



Isabel Rodriguez  
Notary Public for Oregon  
My Commission Expires:

After recording, return to:

City Recorder  
City of Klamath Falls  
500 Klamath Avenue  
Klamath Falls, OR 97601

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_  
of December A.D., 19 86 at 4:10 o'clock P M., and duly recorded in Vol. \_\_\_\_\_ day  
of \_\_\_\_\_ Deeds on Page 24007 M86.

FEE \$21.00

Evelyn Biehn, County Clerk

By Ann Smith