

91940

LICENSE

Vol. m88 Page 16075

KNOW ALL PERSONS BY THESE PRESENTS, that the City of Klamath Falls Oregon, a municipal corporation (Licensor) in consideration of the sum of ONE DOLLAR (\$1.00) receipt of which is hereby acknowledged, does hereby grant to Bruce A. Froemke (Licensee), his successors and assigns, a permanent, exclusive license for the surface use of the following described parcel of land:

A strip of land lying in Section 20, T.38S., R.9E., W.M., Klamath County, Oregon, and being portions of that property described in Vol. 165, page 673 of the official deed records of Klamath County and by Record of Survey number 2709. Said strip of land being more particularly described as follows:

Beginning at an iron pin marking the intersection of the North line of the Southern Pacific Railroad right-of-way and the westerly right-of-way of Biehn Street, said pin being 1293.13 feet East and 1028.35 feet South of the West quarter corner of Section 20, T.38S., R.9E., W.M.; running thence along the northerly railroad right-of-way, North 62°38'55" West 783.79 feet to the easterly right-of-way of the West Side Bypass (Highway 97); thence along said right-of-way, North 08°50'21" East 70.23 feet to the true point of beginning; thence leaving said right-of-way, North 09°34'46" East 262.17 feet to a point on the easterly right-of-way of the West Side Bypass (Highway 97); thence along said right-of-way South 18°40'33" West 164.70 feet; thence South 08°50'21" West 74.97 feet; thence South 35°59'07" East 35.11 feet to the true point of beginning.

for any purpose permitted by applicable local, state and federal law subject to the Licensor's right to install, inspect, repair, maintain, alter and operate City utility lines, and all necessary appurtenances in, into, upon, over, across and under said parcel of land.

Licensee shall not erect any structures, nor plant any trees or shrubs, within the License area which would inhibit access to said City sewer line or cause damage to it.

The Licensor, its successors or assigns, shall not be liable to Licensee for damage to the above-described premises occurring incidental to the proper use of this License. Provided, however, in the event of damage to premises outside of and adjacent to the above-described parcel(s) caused by the Licensor, 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.

IN WITNESS WHEREOF, We have hereunto set our hands this 24th day of August, 1988.

James R. Keller
JAMES R. KELLER, CITY MANAGER

Elisa D. Fritz
ELISA D. FRITZ, CITY RECORDER

STATE OF OREGON)
COUNTY OF KLAMATH) ss.

Personally appeared James R. Keller, City Manager, and Elisa D. Fritz, City Recorder, of the City of Klamath Falls, who are known to me to be the identical persons described in and who executed the above instrument, and who acknowledged to me that they executed the same freely and voluntarily as such officers on behalf of said municipal corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official notary seal this 24th day of August, 1988.

Brenda M. Lipe
Notary Public for Oregon
My commission expires: 1-13-91

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

City of Klamath Falls

on this 27th day of Sept. A.D., 1988
at 10:02 o'clock A. M. and duly recorded
in Vol. M88 of Deeds Page 16075
Evelyn Biehn County Clerk
By Doreen Mullins

AFTER RECORDING RETURN TO: in Vol. M88
Klamath Falls City Recorder
P. O. Box 237
Klamath Falls, OR 97601

Fee, \$8.00

Deputy.

SEP 27 AM 10 02