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RESTRICTIVE EASEMENT

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KNOW ALL PERSONS BY THESE PRESENTS, that TODD LYLE KELLSTROM AND CYNTHIA CAROL KELLSTROM, husband and wife (Grantors), do hereby grant, bargain, sell and convey to the CITY OF KLAMATH FALLS, OREGON (City) a perpetual restrictive easement over and under on the following parcel of land:

A tract of land being situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T38S, R9E, W.M., Klamath County, Oregon, being more particularly described as follows:

Beginning at the northeasterly corner of property described in Volume 248, Page 441 of the Klamath County Deed Records; thence South 43°01'00" West, along the southeasterly line of said property 46.28 feet, to a point on a curve concave to the southeast having a radius of 50.00 feet, to which point a radial line bears North 88°06'16" West; thence northeasterly, along said curve 49.37 feet (central angle of said curve = 56°34'29") to a point on the southwesterly right-of-way line of Conger Avenue; thence South 47°23'00" East, along said right-of-way line 10.53 feet to the point of beginning.

The purpose of said easement is the protection of a deep water well as required by Oregon Health Division regulations, and no pit privy, subsurface sewage disposal drain field, cesspool, solid waste disposal site, pressure sewer line, gravity sewer line, septic tank, buried fuel storage tank, or any other similar public health hazard shall be permitted within said easement area.

In consideration for this easement City shall place one residential water meter as directed by Grantors at no cost to Grantors.

This easement shall run with the land and shall be binding upon all subsequent purchasers and owners of the above-described parcel.

IN WITNESS WHEREOF, Grantor has hereunto set their hand this 18th day of June, 1992.

Todd Lyle Kellstrom
TODD LYLE KELLSTROM

Cynthia Carol Kellstrom
CYNTHIA CAROL KELLSTROM

STATE OF OREGON)
COUNTY OF KLAMATH) ss.

Personally appeared the above named Todd Lyle Kellstrom and Cynthia Carol Kellstrom, husband and wife and acknowledged the foregoing instrument to be their voluntary act and deed.

Before Me:

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

Eva Dale Fitz
Notary Public for Oregon
My Commission Expires: 5-17-93

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls the 13th day
of July A.D. 19 92 at 3:43 o'clock P.M. and duly recorded in Vol. M92
of Deeds on Page 15366

Evelyn Biehn County Clerk

By Pauline McIlennore

FEE \$35.00