

KNOW ALL MEN BY THESE PRESENTS, that Frank E. McBain and Betty J. McBain, grantors, in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, 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 a City water line and all necessary appurtenances in, into, upon, over, across and under a strip of land described as follows:

A 10.00 foot wide easement located in Lot 10 of Resubdivision of Tracts 25 to 32 inclusive, Altamont Ranch Tracts in Section 15, T.39S., R.9E., W.M., Klamath County, Oregon, Said 10.00 foot wide easement being more particularly described in Deed Vol. M81, Page 10544, Klamath County Deed Records, the centerline of said easement being 130 feet distant from and parallel to the centerline of the Burlington Northern Railroad.

together with the right of ingress and egress over grantor(s)' adjoining lands for the purposes of this easement.

Grantor(s) shall not erect any buildings within the easement area which would inhibit access to said City water line or cause damage to it. Grantor(s) retain(s) the right to utilize the easement area for roadways, driveways, parking lot and/or landscaping. provided trees which would interfere with the water line are not planted.

The City, its successors or assigns, shall not be liable to grantor(s) 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(s) 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 purchases or the above-described parcel(s), the City, and the heirs, successors and assigns, of both.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of March, 1994.

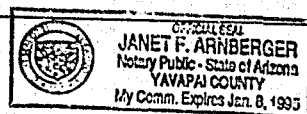
[Signature]

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ARIZONA
STATE OF OREGON } ss
County of Klamath
YAVAPAI

Personally appeared the above named Frank E. McBain and Betty J. McBain and acknowledged the foregoing instrument to be their voluntary act and deed.

Before Me: *[Signature]*
Notary Public for Oregon
My Commission Expires:



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls the 14th day of March A.D., 19 94 at 10:17 o'clock A.M., and duly recorded in Vol. M94 of Deeds on Page 7695.

FEE \$30.00

Return: City Recorder, P.O. Box 237
Klamath Falls, Or. 97601

Evelyn Biehn, County Clerk
By *[Signature]*