

KNOW ALL MEN BY THESE PRESENTS, that First Service Corporation of Southern Oregon, grantor, 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 sewer line and all necessary appurtenances in, into, upon, over, across and under two strips of land described as follows:

TWO STRIPS OF LAND BEING 16 FEET WIDE AND SITUATED IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, EACH STRIP OF LAND BEING 8 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINES:

Commencing at the northeast corner of Lot 5, Block 80 as shown on the Supplementary Plat of Buena Vista Addition to the City of Klamath Falls, Oregon; thence S 09°38'47" W, on a radial line, 8.00 feet to a point on a curve concave to the south; thence westerly, on the arc of said curve 44.00 feet having a radius 787.25 feet (central angle of said curve = 3°12'09") to the true point of beginning; thence continuing westerly, along the arc of said curve 210.94 feet having a radius of 787.25 feet (central angle of said curve = 15°21'08"); thence S 81°05'31" W, to the west line of Lot 1 of said block and the end of said 16.00 foot wide easement.

-and-

Commencing at the northeast corner of Lot 8, Block 79 as shown on the Supplementary Plat of Buena Vista Addition to the City of Klamath Falls, Oregon; thence southerly, along the east line of said lot, 8.00 feet to the true point of beginning; thence S 81°05'31" W, 85.00 feet to the west line of property described as identification number 2045 as shown on County Survey 5053 on file in the Klamath County Surveyors Office and the end of said 16.00 foot wide easement.

The side lines of said strips to be shortened or lengthened to terminate on the beginning and ending lines as described.

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

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

The City, its successors or assigns, shall not be liable to grantor 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.

IT WITNESS WHEREOF, I have hereunto set My hand this 7th day of July, 1994.

Gerald V. Brown
Gerald V. Brown, President

Mary Bothwell
Mary Bothwell, Secretary/Treasurer

STATE OF OREGON } ss.
County of Klamath }

On the 7th day of July, 1994, personally appeared Gerald V. Brown and Mary Bothwell who, each being first duly sworn, did say that the former is the President and the latter is the Secretary/Treasurer of First Service Corporation of Southern Oregon, an Oregon corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that the instrument was signed and sealed on behalf of said corporation; and each of them acknowledged said instrument to be its voluntary act and deed.

STATE OF OREGON, ss.
County of Klamath

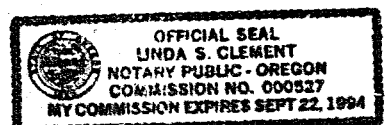
BEFORE ME:

Linda S. Clement
Notary Public for Oregon

Filed for record at request of:

City of Klamath Falls
on this 14th day of Sept A.D., 19 94
at 11:58 o'clock A M. and duly recorded
in Vol. M94 of Deeds Page 28949
Evelyn Biehn, County Clerk
By Pauline Mullins
Deputy.

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



Fee, \$10.00

09-14-94 A11:58 RCVD