

93758

01-19-95P02:06 RCVD

Vol m95 Page 1297EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that JENNIE BELCASTRO, OWNER AND DONNA RADFORD, TRUSTEE FOR THE ELMER BELCASTRO ESTATE TRUST, Grantor in consideration of the sum of FOUR THOUSAND DOLLARS DOLLAR (\$4,000.00), receipt of which is hereby acknowledged, does 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 utility line(s) and all necessary appurtenances in, into, upon, over, across and under a strip of land described as follows:

A 16.00 foot wide easement located in the NE¼NE¼ of Section 34, T. 38 S., R. 9 E., W. M., Klamath County, Oregon; said easement being more particularly described as the South 16.00 feet of the North 76.00 feet of said NE¼NE¼; together with an additional 10.00 foot wide easement for temporary use during waterline construction lying parallel to and contiguous with the southerly boundary of the above described 16.00 foot easement

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

Grantor shall not erect any buildings within the easement area which would inhibit access to said City utility line(s) or cause damage to it. Grantor retains the right to utilize the easement area for roadways, driveways, parking lot and/or landscaping, provided trees which would interfere with the utility line(s) 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, we have hereunto set my hand this 17th day of JANUARY, 1995.

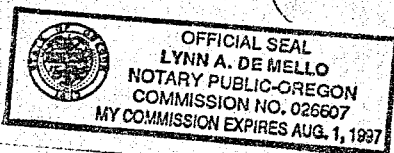
Jennie Belcastro
STATE OF OREGON
County of Klamath } ss.

Donna Radford

Personally appeared the above named Jennie Belcastro, Owner, and Donna Radford, Trustee for the Elmer Belcastro Estate Trust and acknowledged the foregoing instrument to be her voluntary act and deed.

Before Me:

Lynn A. DeMello
Notary Public for Oregon



STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

City Recorder
on this 19th day of January A.D. 19 95
at 2:06 o'clock P.M. and duly recorded
in Vol. M95 of Deeds Page 1297
Bernetha G. Letsch County Clerk
By Donna Radford
Deputy.

Fee. \$ 10.00

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