

RIGHT OF WAY & UTILITY EASEMENT

In consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, Klamath Pacific, Corp., Grantor, in consideration of the sum of receipt of which is hereby acknowledged, does hereby convey to the City of Klamath Falls, Grantee, a perpetual roadway easement to use a strip of land across the property of Grantor and described as follows:

A 100.00 foot wide right-of-way located in the SE $\frac{1}{4}$ of Section 18, T.38S., R.9E., W.M., Klamath County, Oregon, being more particularly described as follows:

Beginning at point on the East line of said Section 18 from which the S $\frac{1}{4}$ corner common to Sections 17 and 18 bears N1 $^{\circ}$ 14'29"E 463.88 feet; thence S1 $^{\circ}$ 14'29"W 105.13 feet; thence S73 $^{\circ}$ 16'28"W 119.67 feet; thence 147.99 feet along the arc of a 150.00 foot radius curve to the left, the long chord of which bears S45 $^{\circ}$ 00'34"W 142.06 feet; thence S16 $^{\circ}$ 44'41"W 54.89 feet, more or less, to the northerly right-of-way line of west Campus Way; thence following said right-of-way 100.05 feet along the arc of a 873.19 foot radius curve to the left, the long chord of which bears N73 $^{\circ}$ 15'19"W 100.00 feet; thence N16 $^{\circ}$ 44'41"E 54.89 feet; thence 246.66 feet along the arc of a 250.00 foot radius curve to the right, the long chord of which bears N45 $^{\circ}$ 00'34"E 236.77 feet; thence N73 $^{\circ}$ 16'28"E 152.11 feet to the point of beginning, containing 0.89 acres.

The terms of this easement are as follows:

1. Grantee shall use the easement strip for public road and utility purposes only and in conjunction with such use may construct, reconstruct, maintain and repair the roadway and utilities thereon or in.
2. Grantee agrees to indemnify and defend Grantor from any loss, claim or liability to Grantor arising out of the Grantee's use of the easement strip.
3. This easement shall be perpetual subject to the vacation and abandonment provisions of State laws applicable to dedicated public roads.
4. This easement is granted subject to all prior easements or encumbrances of record and is binding on and runs to the heirs, successors or assigns of the parties.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed the day and year written below.

GRANTOR - KLAMATH PACIFIC CORP.

GRANTEE - CITY OF KLAMATH FALLS

By: Bob Stewart

President

By: Tom Kellstrom

Mayor

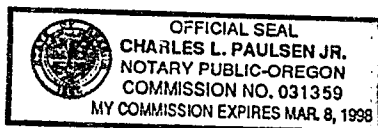
Attest: Marilyn Stewart

Secretary

Attest: Elisa D. Fritz

City Recorder

STATE OF OREGON
COUNTY OF KLAMATH
CITY OF KLAMATH FALLS } ss



On the 19 day of September, 1995, personally appeared Bob Stewart and Marilyn Stewart who, each being first duly sworn, did say that the former is the President and the latter is the Secretary of Klamath Pacific Corp., an Oregon corporation, and that the instrument was signed on behalf of said corporation; and each of them acknowledged said instrument to be its voluntary act and deed.

BEFORE ME:

Charles L. Paulsen Jr.
Notary Public for Oregon

STATE OF OREGON
COUNTY OF KLAMATH
CITY OF KLAMATH FALLS } ss

On the 19 day of September, 1995, personally appeared Todd Kellstrom and Elisa D. Fritz, who, each being first duly sworn, did say that the former is the Mayor and the latter is the City Recorder of the City of Klamath Falls, an Oregon municipal corporation, and that the instrument was signed on behalf of said municipal corporation; and each of them acknowledged said instrument to be its voluntary act and deed.

BEFORE ME:

Diane Bliss
Notary Public for Oregon

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



2/15/97

AB475

10-15-95 20:25 RCH

27484-A

5757

THESE ARE THE TERMS AND CONDITIONS

NOTARIAL PUBLIC STATE OF OREGON
I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as the same appears to me.

Witness my hand and seal of office this 12th day of October, 1995.

Notary Public
My commission expires on the 12th day of October, 1996.

Notary Public

Witness my hand and seal of office this 12th day of October, 1995.

Notary Public

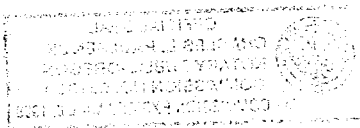
STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls the 12th day
of October A.D., 19 95 at 9:52 o'clock A. M., and duly recorded in Vol. M95
of Deeds on Page 27484.

FEE \$15.00

By Bernetha G. Letsch, County Clerk
Annette Mueller

[Signature]
Notary Public



Witness my hand and seal of office this 12th day of October, 1995.

[Signature]
Notary Public

NOTARIAL PUBLIC STATE OF OREGON
I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as the same appears to me.

[Signature]
Notary Public

