AFTER RECORDING RETURN TO: Enterprise Irrigation District 4806 Hwy 39 Klamath Falls, OR 97603 53930

regularity and sufficiency

õ

3

B

γ

11AR

83

10'

FEE

\$10.00

request as an accomodation only.

AMERITILE, has recorded this

this to any real property

EASEMENT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that MICHAEL A. FIMBRES AND BEVERLY J. FIMBRES

Grantor(s), in consideration of the sum of

Dollars

6707

____), receipt of which is hereby acknowledged, does hereby grant, bargain, sell and (\$____ convey to the ENTERPRISE IRRIGATION DISTRICT, Grantee, a permanent non-exclusive easement for the purpose of installing, inspecting, repairing, maintaining, altering and operating irrigation and/or drainage ditches or pipelines and all necessary appurtenances in, into, upon, over, across and under a strip of land described as follows:

Grantors Real Property: The Westerly 136 feet of Lot 51, HOMEDALE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, S officia Cregon.

So the second state of the conternation of the South right of way line of Harlan Drive, running parallel to the South right of way line of Harlan Drive, running parallel to the North line of the gtogether with all rights of ingress and egress to and from said land (including the right from time to time, to cut, trim and remove trees, brush, overhanging branches and other obstructions) necessary for the Grantee's use, chosener, operation and maintenance of the easement hereby

The Grantee agrees to save and hold the Grantor(s) harmless from any and all claims of

Grantor(s) shall not erect any buildings within the easement area. Grantor(s) retain(s) the right to utilize the easement area in such manner as not to interfere with the rights herein granted for roadways, driveways, parking lot and/or landscaping, except that trees may not be planted thereon and any fences shall be constructed with gates of sufficient size to provide ready access by Grantee's equipment.

Maintenance of the easement herein granted and costs of repair of the easement, if damaged by natural disasters or other events for which all holders of an interest in the easement are blameless, shall be the responsibility of the Grantee. Should either party cause damage to the casement because of negligence or abnormal use, said party shall be responsible for the cost of repair of said damage as their sole expense, which damage shall be repaired by Grantee.

The Grantee, 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 Grantee, its successors and assigns, the party causing such damage shall repair the same and place said premises in as good a condition as they were immediately prior to such damage.

This document shall be binding upon all subsequent purchasers of the above-described parcel(s), the irrigation district, and the heirs, successors and assigns of both

IN WITNESS WHEREOF, I/we have hereunto set our hands this __ day of February , 1998.

Michael Fimbres

STATE OF OREGON, County of Kiamath) ss.

Bellin A. Lim (116) Beverly (J) Fimbres

Personally appeared the above-named _Michael A. Fimbres and Beverly J. Fimbres and acknowledged the foregoing instrument to be his/heir voluntary act and deed.

Dated this 274 day of February, 1998. **above described parcel. Also, an easement over 🤺 and across the East 16 feet of the Westerly NOTARY PUBLIC FOR DREGON 136 feet of Lot 51, HOMEDALE Said And across the last to feet of the western NOTAR 136 feet of Lot 51. HOMEDALE Said Easy den Shiri Log as a fon- orrosive pipe.** B JEAN PHILLIPS NOTARY PUBLIC - OREGON COMMISSION EGRES MARCH 02, 2000 By Enterprise Irrigation District STATE OF OREGON, County of Klamath) ss. March Z. This instrument was acknowledged before me on Sebruary 1998 Don Russell Manager by as of B JEAN PHILLIPS NOTARY PUBLIC - OREGON COMMISSION NO. 050128 MY COMMISSION EXTRES MARCH 02, 2000 NOTARY FUBLIC FOR OREGON STREED TO STATE OF OREGON: COUNTY OF KLAMATH : ss. Filed for record at request of Enterprise Irrigation District the 2nd day A.D., 19 98 at 11:32 o'clock A. M., and duly recorded in Vol. _ of March M98 on Page 6707 of_ Deeds Bernetha G. Letsch, County Clerk