

EASEMENT

98 JUN 29 P3:15

The UNITED STATES OF AMERICA, acting by and through the Administrator of General Services under and pursuant to the powers and authority contained in applicable provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, and regulations and orders promulgated thereunder, (hereinafter referred to as "Grantor"), the consideration being the valuable benefit to the general public, does hereby grant unto the City of Klamath Falls, an Oregon municipal corporation, its successors and assigns a perpetual easement for ingress and egress and a non-exclusive right to install, operate, maintain, repair, rebuild, upgrade, and remove utility lines such as domestic water, sanitary sewer, storm sewer, electricity, natural gas, and other City municipal utilities, over or under the surface of the real property of the Grantor described below and shown on Exhibit "A." The intent of the City is to commence, within six months, construction of a new public access road to serve the Klamath Falls International Airport. The Grantor intends to within one year transfer title to the underlying land and some adjacent land to the Grantee. This action involves General Services Administration disposal Case No. 9-GR-OR-728. Said easement right-of-way is located in the City of Klamath Falls, and is more particularly described as follows:

A strip of land sixty (60) feet wide and situated in the northwest quarter of Section 22, Township 39 South, Range 9 East, of the Willamette Meridian, Klamath County, Oregon, said strip of land being 30 feet on each side of the following described centerline:

Commencing at a point on the northerly right-of-way line of Joe Wright Road, said point being the southeast corner of Parcel 1 of LP 32-95 as shown on County Survey No. 5763 on file at the Klamath County Surveyors office; thence S. $0^{\circ}32'32''$ W., 23.74 feet; thence S. $85^{\circ}49'16''$ E., 187.71 feet; thence southeasterly, along the arc of a 14.325 degree curve, 116.81 feet, concave to the southwest, having a radius of 400 feet (the central angle of said curve = $52^{\circ}19'00''$) to the south right-of-way line of Joe Wright Road and the true point of beginning; thence continuing southeasterly along the arc of said curve, 248.44 feet; thence S. $33^{\circ}30'23''$ W., 464.23 feet; thence southeasterly, along the arc of a 13.64 degree curve, 414.83 feet, concave to the northeast, having a radius of 420 feet (the central

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angle of said curve = $56^{\circ}35'00''$); thence $N.89^{\circ}54'14''E.$, 734.96 feet to the end of said 60 foot wide easement. The north line of said strip to be shortened or lengthened to terminate on the south right-of-way line of Joe Wright Road. The east line of said strip will terminate on a line that is perpendicular to $N.89^{\circ}54'14''E.$; containing 2.58 acres, more or less.

Also including a tract of land in the NW1/4 of said Section 22, being particularly described as follows:

Commencing at the southeast corner of said Parcel 1 as shown on County Survey No. 5763; thence $S.83^{\circ}00'00''E.$, 534.01 feet to a point on the south right-of-way line of Joe Wright Road and the true point of beginning; thence $S.0^{\circ}39'29''E.$, 36.29 feet; thence southeasterly, along the arc of a 15.613 degree curve, 218.84 feet, concave to the northeast, having a radius of 367 feet (the central angle of said curve = $34^{\circ}10'00''$); thence $N.33^{\circ}30'23''W.$, 130.78 feet; thence northwesterly along the arc of a 13.326 degree curve, 199.97 feet more or less to the south right-of-way line of said Joe Wright Road, concave to the southwest having a radius of 430 feet (the central angle of said curve = $26^{\circ}39'00''$); thence $S.89^{\circ}26'08''E.$ along said south right-of-way line, 156.19 feet to the true point of beginning; containing 0.25 acres, more or less.

As part of the new west airport access road development project, the City of Klamath Falls intends to permanently cut off several existing surface streets in the immediate vicinity. The City will ensure (1) continued public access to the former Air Force Chapel by allowing direct ingress and egress from the planned road onto Reber Avenue, and (2) will allow continued public access to the State of Oregon Air National Guard by providing a reasonable location to tie their future separate access road into the City's planned road.

SUBJECT TO existing easements for public roads and highways, public utilities, railroads and pipelines, and to other easements and reservations of record.

As part of the consideration for this deed the Grantee, by acceptance thereof, covenants and agrees for itself, its successors and assigns, that the provisions of Title VI of the Civil Rights Act of 1964 will be complied with in regard to their activities conducted on this property.

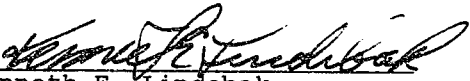
The Grantee shall indemnify and hold harmless the United States against all claims or liabilities asserted by third parties, including all governmental agencies, resulting directly or indirectly from the Grantee's wrongful or negligent acts or omissions hereunder.

Should the rights of ingress and egress acquired herein not be used for a consecutive three year period, then those ingress/egress rights shall automatically terminate and the title thereto revert to the United States. Such action shall not automatically terminate the separate City municipal utility rights granted herein.

The property was both duly determined to be surplus to the needs and requirements of the United States of America and assigned to the General Services Administration for disposal pursuant to authority contained in the said Federal Property and Administrative Services Act as amended, and applicable orders and regulations promulgated thereunder.

IN WITNESS WHEREOF, Grantor has caused this instrument to be effective as of May 29, 1998.

UNITED STATES OF AMERICA
Acting by and through the
Administrator of General
Services

BY 
Kenneth E. Lindebak
Director, Real Property
Disposal
Public Buildings Service

22837

Re: Access/utility easement from U.S.A. to City of Klamath Falls

STATE OF WASHINGTON
COUNTY OF KING

On this 4th day of June, 1998, before the undersigned, a Notary Public in and for the State of Washington, personally appeared Kenneth E. Lindebak, to me known to be the Director, Real Property Disposal Office Auburn, General Services Administration, and to me known to be the individual described in and who executed the foregoing instrument and who under oath stated that he was duly authorized, empowered, and delegated by the Administrator of General Services to execute the said instrument and acknowledged the foregoing instrument to be his free and voluntary act and deed, acting for and on behalf of the Administrator of General Services, acting for and on behalf of the United States of America, for the purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate above written.

Lisa R. [Signature]
Notary Public in and for the
State of Washington
Residing in Enumclaw

Commission expires 4/9/01

AFTER RECORDING RETURN TO:
City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls the 29th day
of June A.D., 19 98 at 3:15 o'clock P. M., and duly recorded in Vol. M98,
of Deeds on Page 22834.

FEE \$25.00

By Bernetha G. Letsch, County Clerk
Kathleen [Signature]