

61139

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that W C Ranch, Inc., an Oregon Corporation, Grantor, in consideration of the sum of One Dollar (\$1.00) receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to the CITY OF KLAMATH FALLS, OREGON (City), 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 the southerly 10' of the following described property:

A part of the S $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, described as follows: Beginning on the North line of said fractional subdivision 60 feet West from the Northeast corner thereof and go thence West on the North line thereof 550 feet to the East right of way line of Washburn Way; thence South on said right of way line 300 feet to the North right of way line of Hilyard Avenue thence East on said right of way line 550 feet to the point due South from the point of beginning; thence North 300 feet to the point of beginning.

Grantor(s) 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(s) retain(s) the right to utilize the easement area for roadways, driveways, parking lot and/or landscaping, except for trees which would interfere with the utility line(s).

The City, its successors or assigns, shall not be liable to Grantor(s) for damage to the above-described premises occurring incidental to the initial proper use of this easement. Provided, however, in the event of damage to premises during subsequent opening of the easement or 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, I/we have hereunto set our hands this 19th day of May, 1998.

W C RANCH, INC

ATTEST:

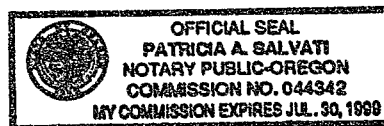
STATE OF OREGON)
County of Klamath) ss.

Personally appeared the above named W C Ranch, Inc. acting as Secretary for W C Ranch, Inc., an Oregon corporation, and acknowledged the foregoing instrument to be its voluntary act and deed.

Before Me:

Patricia A. Salvati
Notary Public for Oregon

AFTER RECORDING RETURN TO:
City Recorder
P. O. Box 237
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 22842.

FEE \$10.00

By Bernetha G. Letsch, County Clerk
Kathleen Ross