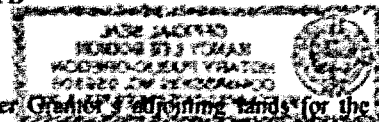


1977 AUG 18 PM 3:55

Public Sewer Easement

KNOWN ALL MEN BY THESE PRESENTS, that Klamath County, a political subdivision of the State of Oregon, Grantor, in consideration of the sum of None Dollars (\$ 0.00) and other valuable consideration, referred to in the attached Exhibits A and B, 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 a City sewer line and all necessary appurtenances in, into, upon, over, across and under a strip of land described as follows:

As shown on the attached Exhibit B



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

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, agricultural crops, pedestrian access, and/or landscaping, except for trees which would interfere with the utility line(s).

The City, its successors or assigns, shall be liable to Grantor(s) for damage to the above-described premises occurring incidental to installing, inspecting, repairing, maintaining, altering and operating the City sewer line located in 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.

Grantee agrees to indemnify and defend Grantor from any loss, claim or liability to Grantor arising in any manner out of Grantee's use of the easement.

This document shall be binding upon all subsequent purchases of the above-described parcel(s), the City, and the heirs, successors and assigns, of both.

All rights hereunder shall cease if and when such line shall have been abandoned.



33459

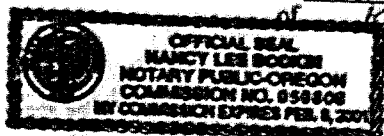
Dated this 17th day of August, 1999.

KLAMATH COUNTY, Grantor

[Signature]
Chairman, Board of County Commissioners[Signature]
County Commissioner[Signature]
County CommissionerSTATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on _____, 1999,

by _____, 1999,

This instrument was acknowledged before me on August 17, 1999,by M. Steven West, Chair, Al Switzer & William R. Garrard
as Klamath County Board of Commissioners
of Klamath County, State of OregonNancy Lee Bodkin
Notary Public for Oregon
My commission expires Feb 8, 2001

CITY OF KLAMATH FALLS, Grantee

Jennie Messmer
City of Klamath Falls Asst. City ManagerAttest: Elisa D. Olson
City of Klamath Falls City RecorderSTATE OF OREGON, County of Klamath ss.This instrument was acknowledged before me on August 12, 1999,by Jennie MessmerThis instrument was acknowledged before me on August 12, 1999by Elisa D. Olsonas Asst. City Manager and City Recorder
of the City of Klamath Falls.Shirley F. Kappas
Notary Public for Oregon
My commission expires 9-10-01

Approved for Legal Sufficiency.

[Signature]
County Counsel
13 Aug 99

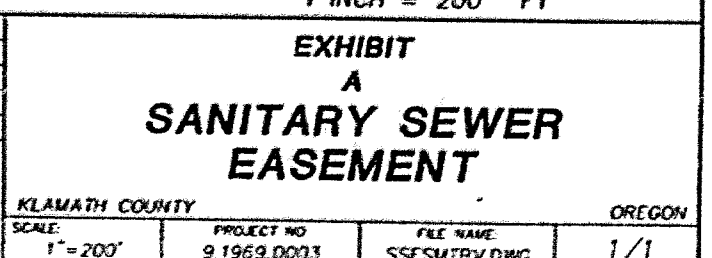


EXHIBIT B

AN EASEMENT FOR SANITARY SEWER PURPOSES SITUATED IN THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON. SAID EASEMENT BEING A STRIP OF LAND 30.00 FEET WIDE LYING 15.00 FEET ON EACH SIDE AND PARALLEL OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 35. SAID POINT IS MARKED BY A 3 INCH ALUMINUM CAP; THENCE ALONG THE WESTERLY SECTION LINE OF SAID SECTION 35, NORTH 01°08'09" EAST 30.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF UPLAND WAY; THENCE LEAVING SAID WESTERLY SECTION LINE, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, SOUTH 89°32'44" EAST 656.78 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 00°46'27" EAST 429.28 FEET; THENCE NORTH 07°42'54" EAST 800.75 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF FOOTHILLS BOULEVARD AND THE POINT OF TERMINUS, SAID POINT BEARS SOUTH 89°54'14" EAST 188.43 FEET FROM A 5/8 INCH REBAR WITH YELLOW PLASTIC CAP MARKING THE POINT OF CURVATURE OF SAID SOUTHERLY RIGHT-OF-WAY LINE.

THE SIDELINES OF SAID STRIP TO BE SHORTENED OR LENGTHENED TO TERMINATE AT THE NORTHERLY RIGHT-OF-WAY OF UPLAND WAY, AND THE SOUTHERLY RIGHT-OF-WAY OF FOOTHILLS BOULEVARD.

CONTAINING 36,901 SQUARE FEET, MORE OR LESS.

Return to Commissioner's Journal

State of Oregon, County of Klamath
Recorded 8/18/99, at 2:55 p.m.
In Vol. M99 Page 33458
Linda Smith,
County Clerk

Fee \$ 71.00 RR