

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that Daniel Lee Eddy as Trustee of the Eddy Living Trust, Grantor, in consideration of the sum of Fifty Dollars (\$50.00), receipt of which is hereby acknowledged, does hereby grant to the City of Klamath Falls (City) and its agents a temporary easement located on a strip of land described as follows:

A strip of land lying in Section 5, T.39S., R.9E., W.M., Klamath County, Oregon, being a portion of that property described in Vol. M77, Page 4, of the official deed records of Klamath County, said strip of land being more particularly described as follows:

Commencing at the south one-quarter corner of Section 5; thence N 01°33'33" E 550.23 feet; thence S 88°44'48" E 550.00 feet, more or less, to the southwest corner of that property described in Vol. M77, Page 4, of the official deed records of Klamath County; thence along the westerly boundary of said property N 01°30'32" E 30.00 feet to the point of beginning for this easement description; thence N 01°30'32" E along said westerly property boundary 50.00 feet; thence S 88°44'48" E parallel with the south boundary of said property 732.93 feet, more or less, to westerly right-of-way line of Mallard Lane; thence S 01°25'51" W 50.00 feet along said westerly right-of-way line; thence N 88°44'48" W 733.00 feet, more or less, to the point of beginning.

for the purpose of construction equipment access to an adjoining strip of land upon which City and its agents will construct a utility line.

This easement shall terminate on December 31, 2001. Upon termination, City shall return the easement area to substantially its present condition. City shall hold grantor harmless and indemnify grantor against any and all claims arising out of City's use of this easement. This document shall be binding upon all subsequent purchases or the above-described parcel, the City, and the heirs, successors and assigns, of both.

IN WITNESS WHEREOF, I/we have hereunto set our hands this 8 day of October, 1999.

CITY OF KLAMATH FALLS

James R. Keller

STATE OF OREGON)
County of Klamath)ss.

GRANTOR, Daniel Lee Eddy as Trustee of the Eddy Living Trust

Daniel Lee Eddy

State of Oregon, County of Klamath
Recorded 10/28/99, at 10:41 a.m.
In Vol. M99 Page 43020
Linda Smith,
County Clerk Fee \$ 10⁰⁰

Personally appeared Daniel Lee Eddy acting as Trustee of the Eddy Living Trust and acknowledged the foregoing instrument to be its voluntary act and deed.

Before Me:

Diane Eek
Notary Public for Oregon

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

