

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that Melvin S. Spears, as trustee of the Elizabeth Robin Weinberg 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. M72, Page 1287, Parcel 1, of the official deed records of Klamath County, said strip of land being more particularly described as follow:

Commencing at the south one-quarter corner of Section 5, T.39S.,R.9E.,W.M.; thence along the north-south centerline of Section 5 N 01°33'33"E 69.00 feet; thence S 88°45'34"E 86.82 feet; thence N 23°11'43"E 68.89 feet to a point of the northerly boundary of that property described in Vol. M72, Page 1287, Parcel 1, of the official deed records of Klamath County, Oregon, from which point the Northwestern corner of said property bears N 88°44'48"E 326.662 feet; thence S 88°44'48"E 5.39 feet; thence 23°11'43"W 518.77 feet; thence N 88°45'34"W 53.91 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 purchasers of 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 24th day of January, 2000.

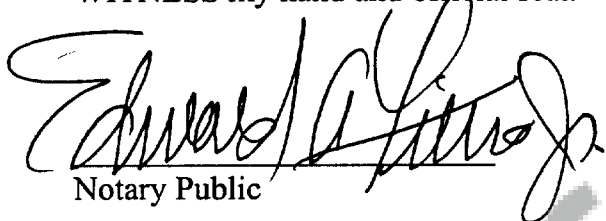
GRANTOR, Melvin S. Spears as trustee of the
Elizabeth Robin Weinberg Trust

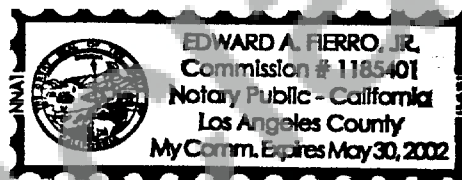
Melvin S. Spears

STATE OF CALIFORNIA)
) ss
 COUNTY OF LOS ANGELES)

On JANUARY 24, 2000, before me, EDWARD A. FIERRO, JR., a Notary Public in and for said County and State, personally appeared Melvin S. Spears, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.


 Notary Public



(Seal)

State of Oregon, County of Klamath
 Recorded 2/18/00, at 9:10 a. m.
 In Vol. M00 Page 5225
Linda Smith,
 County Clerk Fee \$ 26.00

Return: City
 500 Klamath ave.
 City