

02 MAY 8 AM 10:41

Vol. M02 Page 27393

**Water Transmission Main Easement**

KNOWN ALL MEN BY THESE PRESENTS, that the I.B.E.W. Local 769 Pension Trust Fund, Grantor, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to the CITY of KLAMATH FALLS, OREGON (CITY), a permanent exclusive easement for the purpose of constructing, inspecting, repairing, maintaining, altering and operating a City water transmission main and all necessary appurtenances in, into, upon, over, across and under a parcel of land (the "Property") described as follows:

**See Attached Exhibit "A"**

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

The City, its successors or assigns, shall not be liable to Grantor for damage to the Property occurring incidental to the property use of this easement. Provided, however, in the event of damage to premises outside of and adjacent to the Property 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 purchasers of the above-described parcel, the City, and the heirs, successors and assigns, of both.

IN WITNESS WHEREOF, the Grantor has caused this easement to be executed this 24th day of April, 2001.

I.B.E.W. Local 769 Pension  
Trust Fund

Joel D. Bell

STATE OF ARIZONA       )  
COUNTY OF MARICOPA   ) ss.

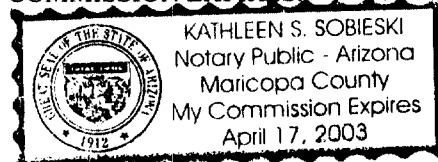
ATTEST:

R.A. Johnson

Personally appeared the above named JOEL D. BELL and R.A. JOHNSON  
Acting as TRUSTEE and TRUSTEE for the I.B.E.W. Local 769 and  
acknowledged the foregoing instrument to be its voluntary act and deed.

Kathleen S. Sobieski  
NOTARY PUBLIC FOR ARIZONA  
MY COMMISSION EXPIRES: 4/17/03

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 \_\_\_\_\_ the \_\_\_\_\_ day  
of \_\_\_\_\_ A.D., 20 \_\_\_\_\_ o'clock \_\_\_\_\_ P.M., and duly recorded in Vol. \_\_\_\_\_,  
Of \_\_\_\_\_ on Page \_\_\_\_\_,

By \_\_\_\_\_

**State of Oregon, County of Klamath**  
Recorded 05/08/2002 10:41 a m.  
Vol M02, Pg 27393-94  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2

26 ✓

**EXHIBIT "A"**

A STRIP OF LAND BEING 20.00 FEET WIDE, 10.00 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 25, THENCE ALONG THE SOUTHERLY LINE OF SAID SECTION 25, SOUTH 89°53'48" EAST, 1317.30 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID SOUTHERLY LINE, NORTH 00°03'06" EAST, 14.65 FEET; THENCE SOUTH 89°52'54" EAST, 160.08 FEET; THENCE NORTH 00°03'06" EAST, 121.58 FEET; THENCE NORTH 18°34'40" WEST, 311.24 FEET; THENCE NORTH 34°45'25" WEST, 115.22 FEET; THENCE NORTH 79°45'25" WEST, 322.60 FEET; THENCE NORTH 10°14'35" EAST, 104.28 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 310.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 51°26'01" (THE LONG CHORD OF WHICH BEARS NORTH 15°28'26" WEST, 269.03 FEET) AN ARC DISTANCE OF 278.28 FEET TO A POINT OF NON-TANGENCY; THENCE NORTH 35°47'22" WEST, 92.25 FEET; THENCE NORTH 59°36'42" EAST, 17.39 FEET; THENCE NORTH 86°16'55" EAST, 46.60 FEET TO A POINT ON THE EASTERLY LINE OF THAT EASEMENT DESCRIBED IN VOLUME M98, PAGE 30832 RECORDED IN THE OFFICE OF THE KLAMATH COUNTY CLERK, SAID POINT BEARS NORTH 42°41'47" EAST, 1400.24 FEET FROM SAID SOUTHWEST CORNER OF SECTION 25.

SIDELINES OF SAID STRIP OF LAND TO BE SHORTENED OR EXTENDED TO TERMINATE AT THE SOUTHERLY LINE OF SAID SECTION 25, AND THE SOUTHERLY AND WESTERLY LINES OF SAID EASEMENT RECORDED AS VOLUME M98, PAGE 30832.