

Grantor's Name and Address
Robert M. and Rowena N. Melsness
PO Box 13
Bly, OR 97622

2019-010831
Klamath County, Oregon
09/17/2019 03:00:08 PM
Fee: \$97.00

AFTER RECORDING RETURN TO:
Grantee's Name and Address
Bly Water and Sanitary District
PO Box 72
Bly, OR 97622

UTILITY EASEMENT

ROBERT M. MELSNESS AND ROWENA N. MELSNESS, hereinafter "Grantors" hereby grant bargain and convey to BLY WATER & SANITARY DISTRICT, an Oregon municipal corporation, hereinafter "Grantee" an easement in gross as described below across the following described real property:

A portion of the land described in Volume m94, page 1059 Klamath County Deed record in the Northeast quarter of Section 3, Township 37 South, Range 14 East, Willamette Meridian, Klamath County, Oregon being more particularly described as follows:

Beginning at a 1½" iron rod making the Southeast corner of Lot 5, Block 16, First Addition to Bly, also lying on the North right-of-way of Metler Street; thence South 89°18'30" East 57.38 feet to the intersection of the East right-of-way of Edler Street and the Easterly extension of Metler Street and the **true point of beginning**; thence along said East right-of-way North 25°41'54" East 44.13 feet; thence leaving said East right-of-way South 89°17'28" East 41.36 feet; thence South 00°42'32" West 40.00 feet to a point on the North line of said Easterly extension of Metler Street; thence along said Easterly extension North 89°17'28" West 60.00 feet to the **true point of beginning**.

Containing 2,027 square feet more or less; as shown in Exhibit "B" attached.

This easement in gross shall inure to the benefit of Grantee and its Successor's and assigns for the following purposes: to lay out, excavate, install, service, and maintain underground domestic water supply system, pipes, valves, pumps and telemetry equipment; to install, service and maintain above ground and underground electric power service to those pumps, meters and telemetry

equipment installed thereon; to install one or more concrete pads, utility service structures to contain and service the water distribution system being installed thereon to install a fence and gate if necessary to protect the improvements; to install and maintain a gravel access drive to be afforded access at all times to service, maintain, repair or install water supply delivery systems provided herein.

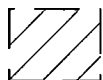
Grantee covenants that it shall not permit waste upon the property, and shall maintain the equipment located within the easement and restore the premises in a workman like fashion consistent with and so as not to materially interfere with Grantee's authorized use.

This easement shall be a perpetual exclusive easement. Grantor may make reasonable use of the subject property so as not to unreasonably interfere with Grantee's rights. Grantee covenants, in the event it should not commence development of a water delivery system within the easement within 5 years from the date of the recording of this easement, or should Grantee, its successor or assigns abandon or remove the water delivery system under circumstances evidencing an intent not to rebuild, then on demand of Grantor, Grantee shall, at Grantee's cost and expense, release and reconvey the easement to Grantor or Grantors' heir or successors or assigns and all improvements not to be removed by Grantee.

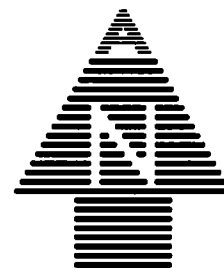
True and actual consideration is good and valuable consideration, consisting of a withdrawal and release of certain real property in Grantees taxing district.

IN WITNESS WHEREOF this instrument is executed by each of the parties and effective on the date last signed below.

LEGEND



EASEMENT AREA
2,027 SF±



SCALE: 1" = 10'

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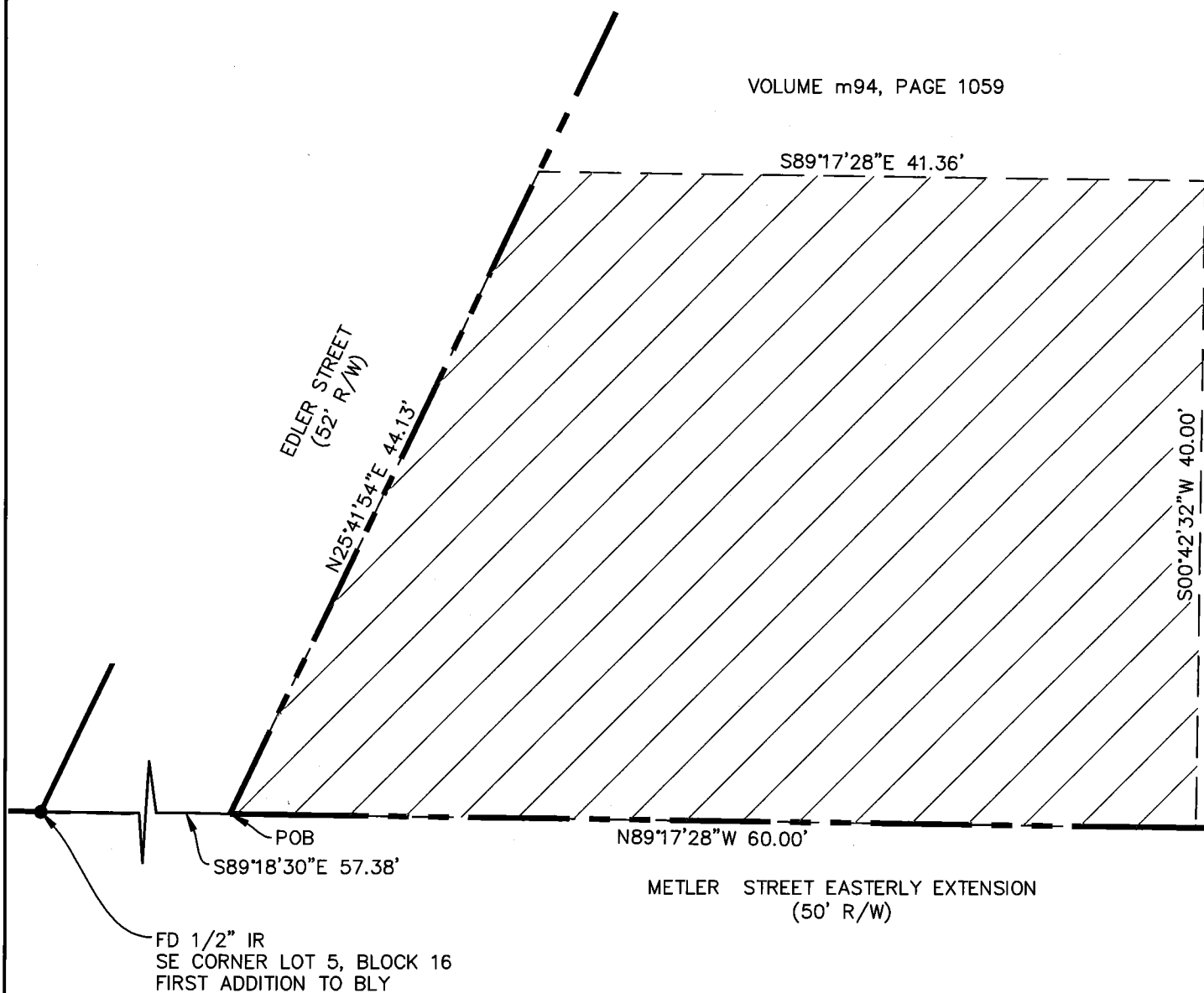


EXHIBIT-B

7/22/2019

GRANTOR:

Robert M. Melsness

Dated: 9-12-19

GRANTOR:

Rowena M. Melsness:

Dated: 9-12-19

STATE OF OREGON)

:ss

County of Klamath)

Subscribed and sworn to before me this 12, day of Sept - , 2019 by

Robert Melsness and Rowena Melsness

David A. Wilson

Notary Public

My Commission Expires: March 12, 2021

GRANTEE:

BLY WATER & SANITARY DISTRICT
an Oregon municipal corporation

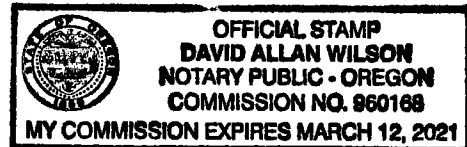
By:

Dated: 9/11/2019

Attest:

Michael C. Harding
Secretary

Dated: 09-11-2019



STATE OF OREGON)

)ss:

County of Klamath)

Subscribed and sworn to before me this 11, day of Sept - , 2019 by

Anthony Booker and Michael Harding

David A. Wilson
Notary Public

My Commission Expires: March 12, 2021

