

2023-003916

Klamath County, Oregon



00315037202300039160050053

05/23/2023 01:49:46 PM

Fee: \$102.00

After recording, return to:
South Suburban Sanitary District
2201 Laverne Ave.
Klamath Falls, OR 97603

UTILITY EASEMENT

For the sum of One Dollar and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, South Suburban Sanitary District, a Special Service District of Klamath County for the State of Oregon, as Grantor, hereby grants to South Suburban Sanitary District, a Special Service District of Klamath County for the State of Oregon, as Grantee, its successors and assigns, subject to the conditions set forth below, a perpetual, non-exclusive easement ("Easement") for the construction, reconstruction, operation, repair, replacement and maintenance of an underground sewer main collection line and related underground facilities ("Easement Facilities") on, in, over, upon and across that certain real property ("Easement Property") located in Klamath County, Oregon, and particularly described as:

See Exhibit A.

The Easement Property and its location within the tract owned by Grantor ("Grantor's Property") are depicted on Exhibit B attached hereto and incorporated herein by this reference. Grantor's Property is legally described as:

Unsurveyed Parcel 2 of Land Partition Map 53-95, situated in the SW1/4 of Section 18, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the C1/4 corner of said Section 18; thence North 89°51'42" West along the North line of the said SW1/4, 2171.10 feet, more or less, to the Northeast corner of Parcel 1 of said "Land Partition 53-95"; thence South 00°01'10" West, along the East line of said Parcel 1, 1327.94 feet to a point on the Northerly line of that tract of land described in deed volume M90, page 7445 of the Klamath County Deed Records; thence, along the boundary of said deed volume the following courses, South 55°36'00" East 811.04 feet, South 85°04'00" West 293.00 feet and South 36°30'00" West 195.00 feet to a point on the Northerly right of way line of the USBR "A" Canal; thence South 52°29'20" East, along the said Northerly right of way line, 994.16 feet, more or less, to the Northwest corner of that tract of land described in deed volume M92, page 28116 of the Klamath County Deed Records; thence, along the boundary of said deed volume the following courses, South 89°36'56" East 105.06 and South 84°03'45" East 723.39 feet to the Southwest corner of Parcel 1 of "Land Partition 5-92"; thence, along the boundary of said Parcel 1 the following courses, North 20°36'45" East 77.73 feet, North 40°58'35" East 225.02 feet and North 24°02'08"

East 305.37 feet to a point on the East line of the said SW1/4; thence North 00°00'05" West, along the said East line, 2115.50 feet to the point of beginning, with bearings based on "Land Partition 53-95" on file at the office of the Klamath County Clerk.

This Easement is subject to the following conditions:

1. Grantee shall not install any Easement Facilities above ground.
2. Grantee shall perform all construction, repair and maintenance of the Easement Facilities in a manner so as to not unduly disrupt the operation or any uses of Grantor's Property that are not inconsistent with the Easement Facilities.
3. Upon completion of construction of the Easement Facilities, and upon completion of any maintenance, repair, or other subsequent work on the Easement Facilities or within the Easement Property by Grantee, Grantee shall promptly repair any damage to the Easement Property and/or any other portion of Grantor's Property that was caused by Grantee's construction, maintenance, repair or other work, and Grantee shall restore the Easement Property and/or Grantor's Property, as the case may be, to substantially the same condition as it was in prior to the commencement of Grantee's construction, maintenance, repair or other work.
4. Grantee shall provide reasonable notice to Grantor prior to commencing any repair, maintenance or other work in the easement area, and shall coordinate times and manner of entry with Grantor's on-site personnel and the occupant of Grantor's Property.
5. Grantor agrees not to construct any permanent structure or building within the Easement Property, provided however that Grantor may construct, install, and maintain landscaping, sidewalks, curbs, gutters, roadways, driveways, fences and similar improvements upon the Easement Property.

///

///

///

///

///

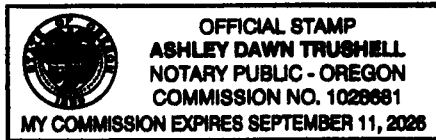
///

///

///

It is the intention of the Grantor and Grantee that this Easement shall be restated and reserved, according to all of the aforementioned terms, in any subsequent conveyance, in whole or in part, of Grantor's Property.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed this 23 day of May, 2023.



SOUTH SUBURBAN
SANITARY DISTRICT

Brett Blofsky
By: BRETT BLOFSKY
Its Director

STATE OF OREGON; County of Klamath) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 23 day of May, 2023, by Brett Blofsky.

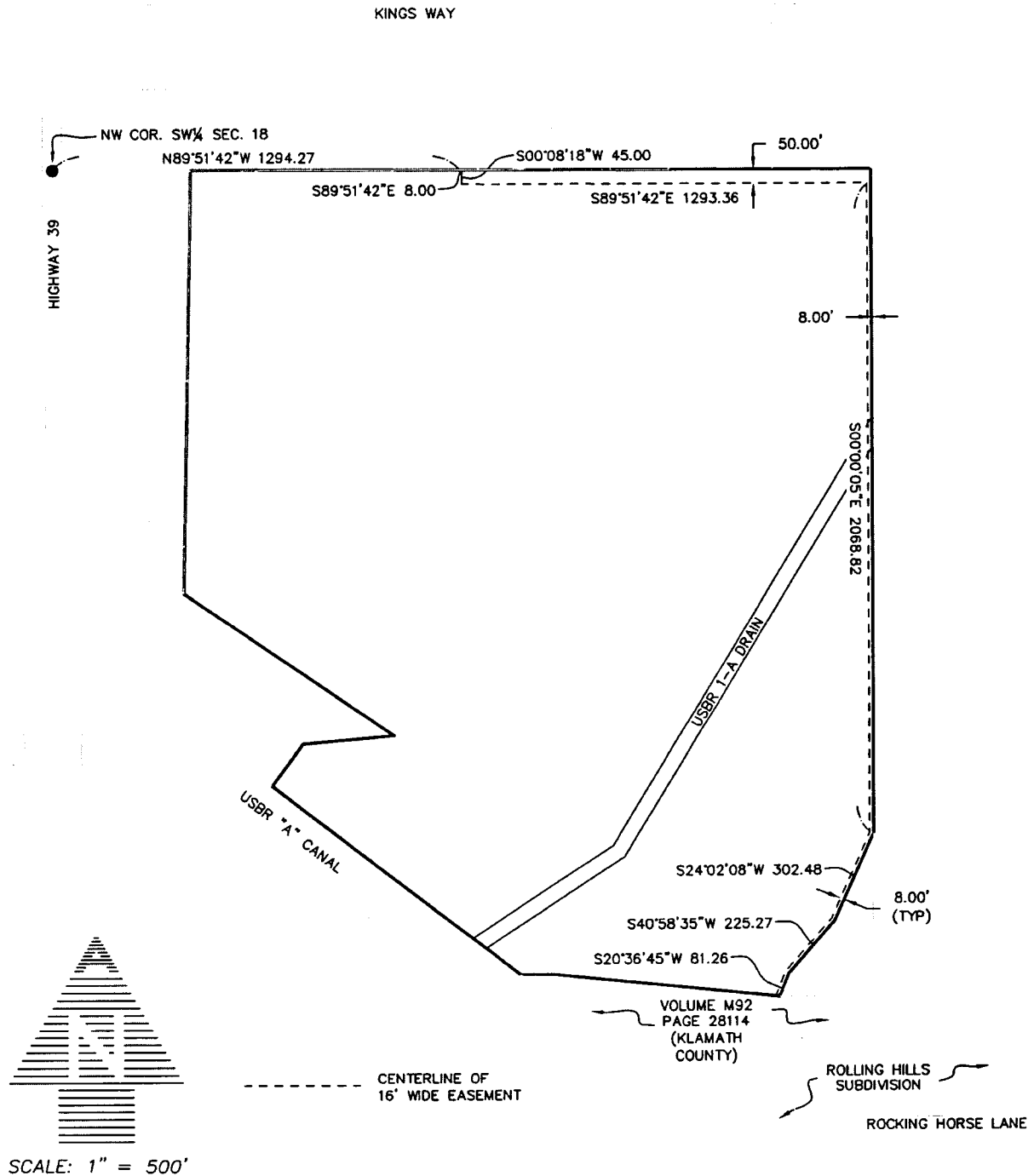
Ashley Dawn Trushell
Notary Public for Oregon
My commission expires: 9/11/2026

EXHIBIT A

Description for Easement

A strip of land 16.00 feet in width, situate in the SW¼ of Section 18, Township 39 South, Range 10 east of the Willamette Meridian, being a portion of Parcel 2 of Land Partition 53-95, and being 8.00 feet on each side of the following described centerline:

Commencing at a point on the north line of said SW¼ of Section 18 from which the northwest corner thereof bears North 89°51'42" West 1294.27 feet; thence along said north line South 89°51'42" East 8.00 feet to the TRUE POINT OF BEGINNING for this description; thence South 00°08'18" West 45.00 feet; thence parallel to the north line of said SW¼ of Section 18 South 89°51'42" East 1293.36 feet to a point which lies North 89°51'42" West 8.00 feet from the east line of said SW¼ of Section 18; thence parallel to said east line South 00°00'05" East 2068.62 feet; thence parallel to and 8.00 feet distant from the northwesterly lines of Parcel 2 of Land Partition 34-90 South 24°02'08" West 302.48 feet; thence South 40°58'35" West 225.27 feet; thence South 20°36'45" West 81.26 feet, more or less, to the north line of that parcel deeded to Klamath County in Volume M92, Page 28114, deed records of Klamath County, Oregon; the side lines of said strip to be lengthened or shortened to be continuous and to terminate on the beginning and ending lines. Containing 1.48 acres, more or less, with bearings based on County Survey 5851.



AL ADKINS
ENGINEERING & SURVEYING
1435 ESPLANADE AVENUE
KLAMATH FALLS, OR 97601
o / 541.884.4666
w / AdkinsEngineering.com
ENGINEERING • PLANNING • SURVEYING

SKETCH OF EASEMENT CENTERLINE
ON
TAX LOT 3910-01800-00901
FOR
SOUTH SUBURBAN SANITARY DISTRICT