

2024-003366

Klamath County, Oregon



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05/01/2024 02:59:55 PM

Fee: \$102.00

AFTER RECORDING RETURN TO:

City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601

GRANTOR:

Ann Malfavon
Klamath Housing Authority
1445 Avalon St.
Klamath Falls, OR 97603

GRANTEE:

City of Klamath Falls
500 Klamath Avenue
Klamath Falls, OR 97601

EASEMENT FOR STORM MAIN LINE

Klamath Housing Authority, Grantor, in consideration of the terms and conditions of this Easement, the sufficiency of which is hereby acknowledged, does hereby grant and convey to the **CITY OF KLAMATH FALLS, OREGON** (Grantee), a perpetual, exclusive easement for the purpose of installing, inspecting, repairing, maintaining, altering and operating Grantee's municipal storm main line and all necessary appurtenances in, into, upon, over, across and under an irregularly shaped strip of land legally described and depicted on EXHIBIT A, attached hereto and incorporated herein (the "**Easement Area**").

Additional terms of the Easement are as follows:

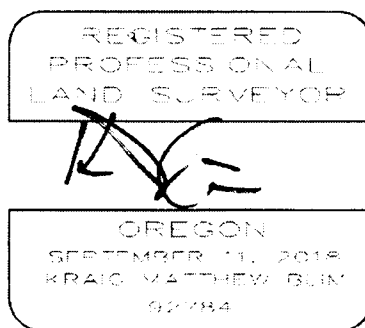
1. Grantee has paid to Grantor the sum of \$0.00, the receipt of which is hereby acknowledged by Grantor. The actual consideration for this transfer consists of or includes other property or value given which is part of / the whole consideration. Grantor shall bear the costs of recording this Easement.
2. **Property Burdened.** The Easement Area lies within the real property owned by Grantor that is legally described as follows (the "**Property**"): Parcel 2 of Land Partition 2-17. See EXHIBIT B.
3. **Restrictions.** Grantor shall not erect any buildings or structures within the Easement Area that would inhibit access to Grantee's said streetlight conduit / junction boxes or cause damage to them. Grantor retains the right to utilize the Easement Area for pedestrian walkways, driveways or parking area (reinforced Portland cement concrete is prohibited) and/or landscaping, except for trees that in Grantee's judgment would interfere with the streetlight conduit. Grantor agrees that any other use of the Easement Area or the ingress/egress area permitted by Grantor shall not interfere with Grantee's use and enjoyment of those areas as authorized herein.
4. **Indemnification by Grantee.** Grantee shall indemnify, defend and hold Grantor harmless from and against any and all claims, demands, damages, losses, liens, liabilities, penalties, fines, lawsuits and other proceedings asserted by third parties against Grantor and Grantor's heirs, successors and assigns (including attorney fees, costs and expenses) that arise from or out of the Grantee's use of the Easement Area or the Property at any time.
5. **Entry.** This Easement shall include the right of ingress and egress over the Property and Grantor's adjoining lands for the purposes of Grantee's use and enjoyment of this Easement and the perpetual right of Grantee to enter upon the Property at any necessary time, so long as Grantee uses its best efforts to coordinate such access with Grantor so as not to unreasonably interfere with Grantor's ongoing activities/business.
6. **Easement Use and Restoration of Property.** Grantee agrees to use due care in any use of the Easement Area and in the construction, installation, repair, replacement and maintenance of either Grantee's improvements or the Easement Area as provided for herein so as not to unreasonably disturb Grantor's use of its property. Grantee agrees to return the Easement Area to its condition which existed prior to the installation of any

EXHIBIT A

AN AREA OF LAND IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 39 SOUTH, RANGE 9 EAST, WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY OF KENNEBECK LOOP MARKED BY A 5/8" IRON ROD WITH RED PLASTIC CAP MARKED 'ADKINS ENG LS 90081'; THENCE ALONG SAID RIGHT-OF-WAY ON A CURVE TO THE RIGHT WITH A RADIUS OF 199.53 FEET, CENTRAL ANGLE OF 03°11'14", AND LONG CHORD OF SOUTH 59°47'55" WEST 11.10 FEET TO THE EASTERLY LINE OF A PUBLIC STORM DRAIN EASEMENT PER LAND PARTITION 2-17; THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG THE EASTERLY LINE OF SAID EASEMENT, NORTH 00°05'09" EAST 20.63 FEET; THENCE LEAVING SAID EASTERLY EASEMENT LINE, NORTH 81°49'48" EAST 44.49 FEET TO THE NORTHERLY RIGHT-OF-WAY OF KENNEBECK LOOP; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 58°12'18" WEST 40.56 FEET TO THE POINT OF BEGINNING.

CONTAINING 418.59 SQUARE FEET MORE OR LESS.



EXPIRES: 12/31/25

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 11, 2018
KRAIG MATTHEW BLIM
92784

EXPIRES: 12/31/25

PUBLIC STORM
DRAIN EASEMENT
PER LP 2-17

N00°05'09"E 20.63'

N81°49'48"E 37.24'

R = 199.53'
Δ = 9°47'15"
L = 34.09'
LC = N53°18'41"E
34.04'

POINT OF BEGINNING
FOUND 5/8 IRON ROD
WITH RED PLASTIC CAP
MARKED 'ADKINS ENG LS 90081'
PER LP 2-17

R = 199.53'
Δ = 3°11'14"
L = 11.10'
LC = S59°47'55"W
11.10'



SCALE: 1" = 20'



(FEET)

NORGOLD LANE

KENNEBECK LOOP

PARCEL 2
LP 2-17

PARCEL 3
LP 15-23

PARCEL 1
LP 15-23

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

EXHIBIT A

STORM EASEMENT
PARCEL 2 LP 2-17

SITUATE IN SE 1/4 NE 1/4 SECTION 14,
TOWNSHIP 39 SOUTH, RANGE 09 EAST
WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON


I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT OF LAND PARTITION ~~AND~~ AS SURVEYED, PARTITIONED AND PLATTED.

DANIEL J. O'CONNOR

Rochelle Long COUNTY CLERK



SCALE: 1" = 100'



(FEET)

LEGEND

- FOUND MONUMENTS AS SHOWN
SE" 5/8" X 30" IRON ROD WITH
RED PLASTIC CAP MARKED
"ADKINS ENG. L.S. 90081"
[] RECORD PER CS 5507 (LP 8--00)
[] RECORD PER CS 5629 (LP 5B--94)

NOTE: WATER RIGHTS SUBJECT TO
KLAMATH BASIN ADJUDICATION

ADKINS

FILED
IN THE OFFICE OF THE KLAMATH
COUNTY SURVEYOR THIS 8 DAY
of May 2017

CONSULTING
ENGINEERING, LLP
2950 Shasta Way • Klamath Falls, Oregon 97603 • (541) 864-4666 • FAX (541) 864-5335
Oregon • California
Final, LP 2-17
1/27/2017
11562-02

4/27/2017

DATE 01 MAR 2011

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2017-4773

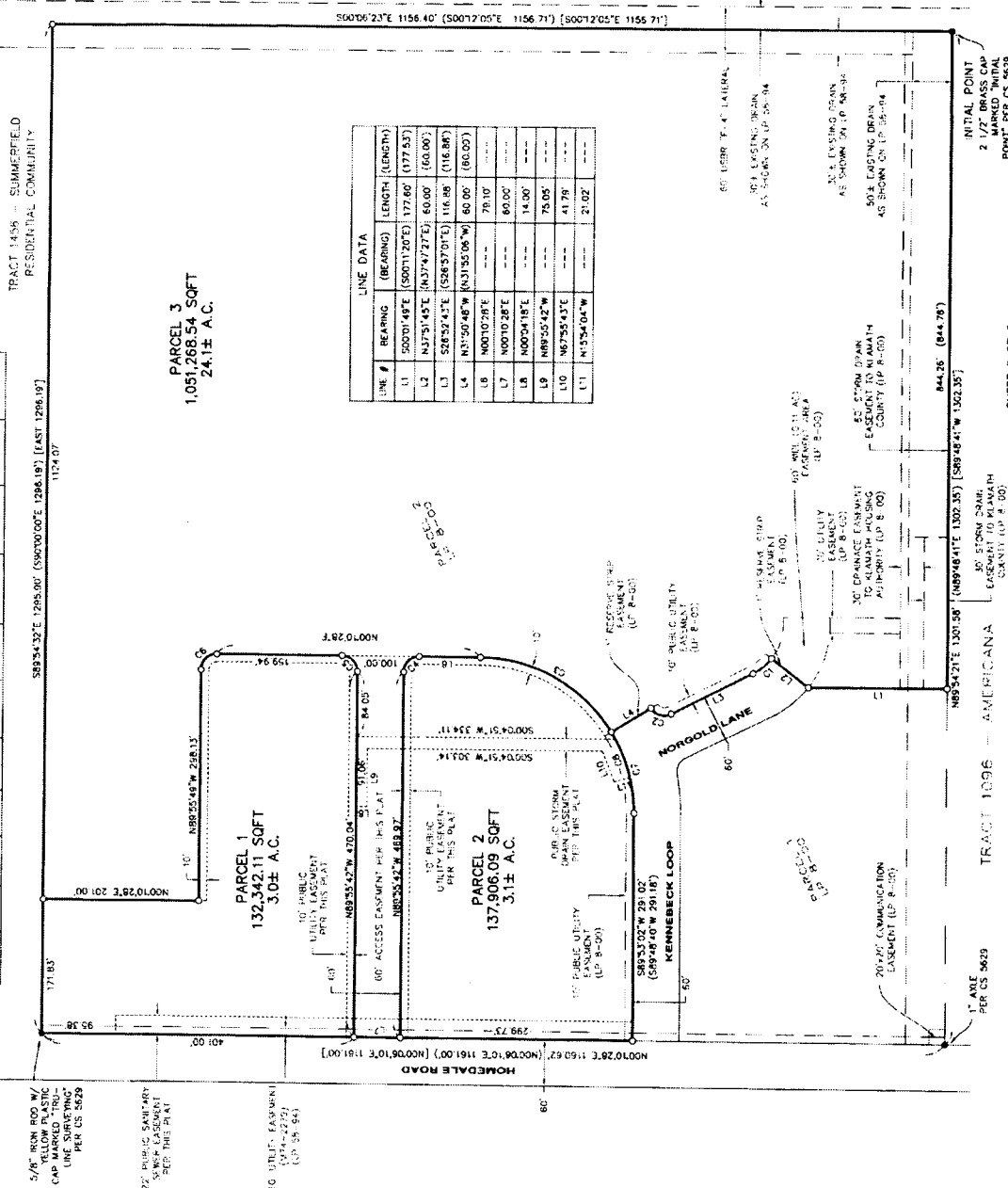
CURVE DATA										
CURVE #	LENGTH	RADIUS	(RAD/US)	DELTA	DELTA	(DELT/US)	CH. BRG.	CH. HRS.	CH. LENGTH	(MILE/LENTH)
C1	30.86'	20.00'	70.00'	29.15.31"	12.15.37"	538.30.28"E	---	---	30.8'	136.8(1)
C2	29.48'	(29.68')	20.00'	80.01.29"	(80.01.35)"	515.38.14"E	---	---	27.03'	(27.03')
C3	202.34'	200.00'	200.00'	77.30.44"	---	430.59.19"E	---	---	193.85'	---
C4	31.45'	20.00'	---	10.00.10"	---	444.52.37"E	---	---	26.31'	---
C5	31.38'	20.00'	88.53.50"	89.53.50"	---	445.02.23"E	---	---	28.78'	---
C6	31.45'	20.00'	---	90.00.11"	---	444.52.41"E	---	---	28.31'	---
C7	110.78'	(110.78')	200.00'	31.43.49"	(31.43.44)"	474.01.05"E	---	---	109.35'	109.35(1)
C8	52.63'	---	200.00'	15.04.40"	---	468.51.13"E	---	---	52.48'	---

TRACT 1456 ... SUMMERFIELD
RESIDENTIAL COMMUNITY

112407
1295.90 (SOLU GU E 1298.19; [EAST 1298.19])

112497

PARCEL 3
1,051,268.54 SQFT
24.1± A.C.



SHEET 2 OF 2

TRAC 1096 - AMERICAN

PER CS 5629

TRACT 1096 ... AMERICANA
30' STORM DRAIN
EASEMENT TO PLAVAM
COUNTY (P. 2-00)

INITIAL POINT
2 1/2" DRASS CAP
MARKED "INITIAL
POINT" PER CS 5629

8243