

WATER EASEMENT DEED

CITY COPY

90-37963

225 - 1286

GERALD K. EISCHEN, Grantor, conveys and warrants to the CITY OF BEND, an Oregon municipal corporation, Grantee, the following water facilities easement free of encumbrances except as specifically set forth herein:

SEE EXHIBIT "A"

This easement is granted on the following terms and conditions:

1. The easement shall be a permanent, perpetual and exclusive right to construct, install, maintain and operate a water line and all related facilities on the surface and within the subsurface of the easement. City shall have the right to immediate possession of the property described in this easement.
2. The City of Bend shall hold Grantor harmless from any liability caused by City's work within the easement or the operation and maintenance of the water line.
3. Grantor shall not erect any structures on the easement, but may use the surface of the easement provided such use does not interfere with City's construction, installation, operation and maintenance of its water system.
4. Grantor also grants to the City of Bend a temporary construction easement of 10.00 feet in width along each side of the permanent easement for the purpose of giving a work area during the construction of the water system. Upon completion of the water construction and acceptance for use, this construction easement shall be terminated.

Grantor warrants and represents that the property subject to this easement is free and clear of all liens and encumbrances and that Grantor has the right to grant this water easement.

DATED THIS 5th DAY OF November, 19 90.

CITY

LARRY PATTERSON

GRANTOR

GERALD K. EISCHEN

STATE OF OREGON)
)ss
County of Deschutes)

The foregoing instrument was acknowledge before me 5th day of
November, 19 90, by Gerald K. Eischen
Grantor.

SUSAN D. PROWELL
NOTARY PUBLIC - OREGON

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

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EISCHEN
11/01/90
Commission Expires 11/19/93

WA 560

EXHIBIT "A"

20' WATER LINE EASEMENT
in LOT 3, BLOCK 3, MATSON PARK

20' WATER LINE EASEMENT DESCRIPTION

A 20.00 foot wide strip of land, located in a portion of the south 100.00 feet of Lot 3, Block 3 of the plat of Matson Park, City of Bend, Deschutes County, Oregon, being more particularly described as lying 10.00 feet on each side of the following described centerline:

Beginning at a point on the easterly right-of-way line Purcell Boulevard from which a 5/8" iron rod with a cap marked "CWEC" marking the southwest corner of said Lot 3, Block 3 of Matson Park bears South 23° 26' 18" West a distance of 61.27 feet; thence South 88° 04' 33" East a distance of 92.63 feet to the terminus of this described centerline.

SUBJECT TO: All easements, restrictions and rights-of-way of record and those common and apparent on the land.

Side lines of the above described easement are to be lengthened or shortened so as to begin and end on property lines.

STATE OF OREGON)
COUNTY OF DESCHUTES) ss.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND
RECORDER OF CONVEYANCES, IN AND FOR SAID
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WAS RECORDED THIS DAY:

90 DEC 20 PM 3:33

MARY SUE PENHOLLOW
COUNTY CLERK

BY:  DEPUTY

NO. 90-37963 FEE 35
DESCHUTES COUNTY OFFICIAL RECORDS