

**SEWER EASEMENT DEED**

BEND PARTNERS, L. P. a California limited partnership, Grantors, conveys and warrants to the CITY OF BEND, an Oregon municipal corporation, Grantee, the following sewer 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 sewer 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 sewer 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 sewer 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 sewer. Upon completion of the sewer construction and acceptance for use, this construction easement shall be terminated.
5. 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 sewer easement.
6. There is no consideration for this easement.

263 - 1738

DATED THIS 24<sup>th</sup> DAY OF MARCH, 19 92

Bend Partners, L.P.,  
a California limited partnership

By: Investec Capital Corporation,  
a California corporation,  
General Partner

Richard Ridgway  
RICHARD RIDGWAY

STATE OF CALIFORNIA

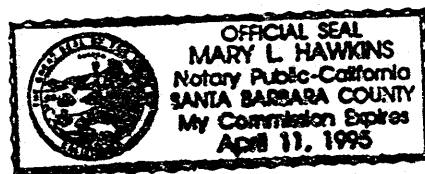
COUNTY OF SANTA BARBARA

On March 24, 19 92, before me,  
Mary L. Hawkins Notary Public, personally appeared

**RICHARD RIDGWAY** personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Mary L. Hawkins  
Signature



(Seal)

Accepted on behalf of the City by:

[Signature]  
Development Services

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## EXHIBIT "A"

A strip of land, 20 feet in width, crossing the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section Thirty-one (31), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, and Lots 3 and 4, in Block 24, of the vacated portion of BONNE HOME ADDITION TO BEND vacated by order of vacation dated January 19, 1966, in the City of Bend, Deschutes County, Oregon, lying 10 feet on both sides of the following described line:

Beginning at the Southeast corner of the NW 1/4 SW 1/4 of said Section 31; thence North 00° 10' 51" East, 340.52', along the westerly line of said BONNE HOME ADDITION; thence leaving said line at right angles thereto South 89° 49' 09" West, 47.86' to a point and the True Point of Beginning of this description; thence North 73° 45' 31" East, 137.83' to the westerly right of way line of West 17th Street and the Terminus of this description, said point bears North 12° 24' 44" East from the Southeast corner of the NW 1/4 SW 1/4.

The sidelines of this easement being lengthened or shortened so as to begin and end on the said westerly right of way line of West 17th Street.

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:

92 APR 28 PM 3:03

MARY SUE PENHOLLOW  
COUNTY CLERK

BY. Wallace DEPUTY  
NO. 92-13360 FEE 23.00  
DESCHUTES COUNTY OFFICIAL RECORDS

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