

55 31 046

EASEMENT

THIS INDENTURE, made and entered into this 4th day of March, 1966, by and between BRUCE KIRKPATRICK & William H. KIRKPATRICK, Copartners of the County of Baker, State of Oregon, parties of the first part, hereinafter referred to as Grantors, and the CITY OF BAKER, OREGON, a municipal corporation existing under and by its Charter and the laws of the State of Oregon, as party of the second part, hereinafter referred to as Grantee,

WITNESSETH:

WHEREAS, the City of Baker, Oregon, has on occasion been subjected to flooding by the Powder River, said flooding being caused by ice jams which develop because of some areas of inadequate width of the river channel and also, natural and artificial obstructions within the channel of the Powder River, both within and without the City Limits: and,

WHEREAS, the United States of America, Department of the Army, Corps of Engineers, under the sponsorship of the City of Baker, Oregon, is willing to undertake the initial cost and expense (not of securing land, easements, and rights-of-way) of an emergency river channel clearance, removal of snags and gravel bars and proper placement of soil in a project known as Powder River Emergency Clearing and Snagging Flood Control Project, located on the Powder River in the vicinity of Baker, Baker County, Oregon, providing that the City of Baker, Oregon, at its own cost and expense procures necessary lands, easements and rights-of-way for said project, and, thereafter, upon completion of the project, agrees to maintain and operate all the works provided by the Corps of Engineers on said project, now, therefore,

For and in consideration of the sum of ONE AND NO/100THS (\$1.00) DOLLARS, and other good and valuable consideration,