

Vol. M-66... 1391  
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TRACT NO: (PGE) GM 773; 774A;  
774C; 776; 747;  
751; 752A; 754A;  
730; 726; 726B;  
726D; 727;

TRANSMISSION LINE BASEMENT

Grantor, WEYERHAEUSER COMPANY, formerly Weyerhaeuser Timber Company, a Washington corporation, recognizing that public necessity requires that the herein described rights be made available forthwith to Grantee, PORTLAND GENERAL ELECTRIC COMPANY, an Oregon corporation, notwithstanding Grantor's wish to retain same, and desiring to avoid the delays and inconvenience incident to the acquisition of such rights by eminent domain, for and in consideration of the sum of Twenty-seven Thousand Nine Hundred Sixty-two and 50/100 Dollars (\$27, 962.50), receipt of which is hereby acknowledged, hereby grants, bargains, sells and conveys to Grantee and its assigns:

I.

TRANS-  
MISSION  
LINE  
RIGHT  
OF WAY

A perpetual easement and right to enter and to erect, maintain, repair, rebuild, operate and patrol one or more electric power transmission lines and appurtenant signal lines, including the right to erect such poles and other transmission line structures, wires, cables and appurtenances as are necessary thereto, and the present and future right to clear said right of way and keep the same clear of brush, timber, structures and fire hazards, provided that fire hazards shall not be interpreted to include growing crops, in, upon, over and across the following described parcels of land, to-wit:

(All bearings are based on Oregon Coordinate System - South Zone)

IN KLAMATH COUNTY, OREGON:

TRACT NO. GM 773

That part of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 28, Township 37 South, Range 12 East of W. M., lying within the Easterly 150 feet of a strip of land 300 feet in width, being 75 feet Westerly of and 225 feet Easterly of the following described line:

Beginning at a point which is South 88° 28' 00" West

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938.4 feet from the Northeast corner of said Section 28;  
thence South 21° 33' 50" West 5,344.0 feet to a point  
which is North 36° 17' 51" West 366.57 feet from the South  
quarter corner of said Section 28.

TRACT NO. GM 774A

Those portions of the E½ of NW¼ and NE¼ of SW¼ of Section 33,  
Township 37 South, Range 12 East of W. M., lying within the Easterly  
150 feet of a strip of land 300 feet in width, being 75 feet Westerly  
of and 225 feet Easterly of the following described line:

Beginning at a point which is North 36° 17' 51" West  
366.57 feet from the North quarter corner of said  
Section 33;  
thence South 21° 33' 50" West 2,728.2 feet;  
thence South 22° 18' 10" West 3,371.8 feet to a point  
which is South 43° 42' 09" East 206.15 feet from the  
Southwest corner of said Section 33.

65-1040

TRACT NO. GM 774C

Those portions of the W½ of SW¼ of Section 33, Township 37  
South, Range 12 East of W. M., lying within the Easterly 150 feet of  
a strip of land 300 feet in width, being 75 feet Westerly of and 225  
feet Easterly of the following described line:

Beginning at a point which is North 36° 17' 51" West  
366.57 feet from the North quarter corner of said  
Section 33;  
thence South 21° 33' 50" West 2,728.2 feet;  
thence South 22° 18' 10" West 3,371.8 feet to a point  
which is South 43° 42' 09" East 206.15 feet from the  
Southwest corner of said Section 33.

65-1040

TRACT NO. GM 776

Those portions of the Fractional E½ of E½ of Section 5, Township  
38 South, Range 12 East of W. M., lying within the Easterly 150 feet of  
a strip of land 300 feet in width, being 75 feet Westerly of and 225 feet  
Easterly of the following described line:

Beginning at a point which is South 43° 42' 09" East  
206.15 feet from the Northeast corner of said Section 5;  
thence South 22° 18' 10" West 5,400.0 feet to a point  
which is North 84° 38' 43" West 1,815.63 feet from the  
Southeast corner of said Section 5.

65-1041

TRACT NO. GM 747

Those portions of the E½ of SW¼ of Section 27 and those portions  
of the N½ of NW¼ of Section 34, Township 34 South, Range 13 East of W. M.,  
lying within the Easterly 150 feet of a strip of land 300 feet in width,  
being 75 feet Westerly of and 225 feet Easterly of the following described  
line:

Beginning at a point which is North 89° 25' 30" West 513.2  
feet from the North quarter corner of said Section 27;  
thence South 9° 41' 00" West 5,354.4 feet to a point

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which is South 89° 05' 50" East 1,272.0 feet from the Southwest corner of said Section 27;  
thence continuing South 9° 41' 00" West 1,337.5 feet, more or less, to a point on the South line of the NW¼ of NW¼ of said Section 34, the Easterly and Westerly boundaries of said strip of land being shortened or extended to intersect the South line of said NW¼ of NW¼.

TRACT NO. GM 751

That portion of the E½ of SW¼ of SE¼ of Section 20, Township 35 South, Range 13 East of W. M., lying within the Easterly 150 feet of a strip of land 300 feet in width, being 75 feet Westerly of and 225 feet Easterly of the following described line:

Beginning at a point which is North 49° 58' 50" West 2,334.24 feet from the Southeast corner of said Section 20;  
thence South 20° 52' 10" West 1,610.0 feet to a point which is North 89° 55' 10" East 293.0 feet from the South quarter corner of said Section 20.

TRACT NO. GM 752A

Those portions of the W½ of NE¼, E½ of NW¼, NE¼ of SW¼ and S½ of SW¼ of Section 29, Township 35 South, Range 13 East of W. M., lying within the Easterly 150 feet of a strip of land 300 feet in width, being 75 feet Westerly of and 225 feet Easterly of the following described line:

Beginning at a point on the North line of said Section 29, which is 293.0 feet Easterly of the North quarter corner of said Section 29;  
thence South 20° 52' 10" West 5,680.6 feet, more or less, to a point on the South line of said Section 29, which is 928.6 feet Easterly of the Southwest corner thereof, the Easterly and Westerly boundaries of said strip of land being shortened or extended to intersect said North and South section lines.

TRACT NO. GM 754A

That portion of the NW¼ of SW¼ of Section 32, Township 35 South, Range 13 East of W. M., lying within the Easterly 150 feet of a strip of land 300 feet in width, being 75 feet Westerly of and 225 feet Easterly of the following described line:

Beginning at a point on the North line of Section 32, Township 35 South, Range 13 East, which is 928.6 feet Easterly of the Northwest corner of said section;  
thence South 20° 52' 10" West 2,667.5 feet to a point which is North 0° 30' 00" East 151.5 feet from the East quarter corner of said Section 31;  
thence continuing South 20° 52' 10" West 1,041.9 feet.

IN LAKE COUNTY, OREGON:

TRACT NO. GM 730

Those portions of the NE¼ of SE¼ and S½ of SE¼ of Section 36, Township 31 South, Range 14 East of W. M., lying within the Easterly

150 feet of a strip of land 300 feet in width, being 75 feet Westerly of and 225 feet Easterly of the following described line:

Beginning at a point which is North  $0^{\circ} 28' 00''$  East 214.9 feet from the East quarter corner of said Section 36;  
thence South  $26^{\circ} 52' 10''$  West 3,178.8 feet, more or less, to a point on the South line of said Section 36, which is 1,215.1 feet Easterly of the South quarter corner thereof, the Easterly and Westerly boundaries of said strip of land being shortened or extended as necessary to intersect said South line.

✓ TRACT NO. GM 726

Those portions of Lots 1, 3 and 2, and the  $W\frac{1}{2}$  of  $SW\frac{1}{4}$  of Section 16, Township 30 South, Range 15 East of W. M., lying within the Easterly 150 feet of a strip of land 300 feet in width, being 75 feet Westerly of and 225 feet Easterly of the following described line:

Beginning at a point on the North line of said Section 16, which is 257.6 feet Easterly of the Northwest corner of said section;  
thence South  $0^{\circ} 53' 20''$  West 5,327.9 feet, more or less, to a point on the South line of said section, which is 243.7 feet Easterly of the Southwest corner thereof, the Easterly and Westerly boundaries of said strip of land being shortened or extended as necessary to intersect said North and South section lines.

✓ TRACT NO. GM 726B

That part of the  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  of Section 28, Township 30 South, Range 15 East of W. M., lying within the Easterly 150 feet of a strip of land 300 feet in width, being 75 feet Westerly of and 225 feet Easterly of the following described line:

Beginning at a point which is South  $89^{\circ} 20'$  East 203 feet from the Northwest corner of said Section 28;  
thence South  $0^{\circ} 53' 20''$  West 2,904.0 feet to a point which is South  $39^{\circ} 56' 42''$  East 294.61 feet from the West quarter corner of said Section 28.

✓ TRACT NO. GM 726D

That part of the  $NW\frac{1}{4}$  of  $SW\frac{1}{4}$  of Section 33, Township 30 South, Range 15 East of W. M., lying within the Easterly 150 feet of a strip of land 300 feet in width, being 75 feet Westerly of and 225 feet Easterly of the following described line:

Beginning at a point which is South  $89^{\circ} 20'$  East 176.0 feet from the Northwest corner of said Section 33;  
thence South  $0^{\circ} 53' 20''$  West 2,207.2 feet;  
thence South  $16^{\circ} 32' 10''$  West 3,260.4 feet to a point which is North  $89^{\circ} 03' 40''$  West 776.3 feet from the Southeast corner of Section 32, Township 30 South, Range 15 East.

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✓ TRACT NO. GM 727

Those portions of the Fractional NE $\frac{1}{4}$  and the W $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 5, and those portions of the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  and E $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 8, all in Township 31 South, Range 15 East of W. M., lying within the Easterly 150 feet of a strip of land 300 feet in width, being 75 feet Westerly of and 225 feet Easterly of the following described line:

Beginning at a point which is North 89° 03' 40" West 776.3 feet from the Southeast corner of Section 32, Township 30 South, Range 15 East of W. M.; thence South 16° 32' 10" West 5,948.3 feet to a point which is North 89° 52' 10" West 74.2 feet from the quarter section corner common to said Sections 5 and 8; thence continuing South 16° 32' 10" West 2,763.1 feet, more or less, to a point on the South line of the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 8, the Easterly and Westerly boundaries of said strip of land being shortened or extended as necessary to intersect the North line of said Section 5 and the South line of the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 8.

and

II.

REMOVAL OF DANGER TREES      The right to top, limb, or fell all danger trees which are upon strips of land of various widths lying parallel to and abutting upon the parcels of land hereinabove described, to-wit:

(A "danger tree" is any growing or dead tree or snag which in falling can reach within 55 feet of the centerline, or lines, of the transmission line, or lines.)

IN KLAMATH COUNTY, OREGON:

TRACT NO. GM 773

That part of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 28, Township 37 South, Range 12 East of W. M., lying within the area distant from the Easterly boundary of the right of way between the points indicated:

Width	From	To
60 feet	North line of said SE $\frac{1}{4}$ of NE $\frac{1}{4}$	West line of said SE $\frac{1}{4}$ of NE $\frac{1}{4}$

TRACT NO. GM 774A

Those portions of the E $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 33, Township 37 South, Range 12 East of W. M., lying within the area distant from the Easterly boundary of the right of way between the points indicated:

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Width	From	To
125 feet	North and East lines of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 33	Opposite Survey Station 7660+00

TRACT NO. GM 776

Those portions of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  and E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 5, Township 38 South, Range 12 East of W. M., lying within the area distant from the Easterly boundary of the right of way between the points indicated:

Width	From	To
100 feet	Opposite Survey Station 7715+00	West line of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 5

TRACT NO. GM 747

Those portions of the E $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section 27, and those portions of the N $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 34, all in Township 34 South, Range 13 East of W. M., lying within the area distant from the Easterly boundary of the right of way between the points indicated:

Width	From	To
100 feet	North line of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 27	South line of the S $\frac{1}{2}$ of NW $\frac{1}{4}$ of said Section 34

TRACT NO. GM 751

That part of the E $\frac{1}{2}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 20, Township 35 South, Range 13 East of W. M., lying within the area distant from the Easterly boundary of the right of way between the points indicated:

Width	From	To
90 feet	North line of said E $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$	West line of said E $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$

TRACT NO. GM 752A

Those portions of the W $\frac{1}{2}$  of NE $\frac{1}{4}$ , SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , NE $\frac{1}{4}$  of SW $\frac{1}{4}$  and S $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section 29, Township 35 South, Range 13 East of W. M., lying within the area distant from the Easterly boundary of the right of way between the points indicated:

Width	From	To
80 feet	North line of said Section 29	Opposite Survey Station 6911+00
70 feet	Opposite Survey Station 6936+00	South line of said Section 29

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TRACT NO. GM 754A

That part of the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 32, Township 35 South, Range 13 East of W. M., lying within the area distant from the Easterly boundary of the right of way between the points indicated:

Width	From	To
40 feet	North line of said NW $\frac{1}{4}$ of SW $\frac{1}{4}$	West line of said NW $\frac{1}{4}$ of SW $\frac{1}{4}$

IN LAKE COUNTY, OREGON:

TRACT NO. GM 730

Those portions of the E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 36, Township 31 South, Range 14 East of W. M., lying within the area distant from the Easterly boundary of the right of way between the points indicated:

Width	From	To
85 feet	East line of said Section 36	South line of said Section 36

TRACT NO. GM 726

Those portions of Lots 1, 3 and 2, and the W $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section 16, Township 30 South, Range 15 East of W. M., lying within the area distant from the Easterly boundary of the right of way between the points indicated:

Width	From	To
90 feet	North line of said Section 16	South line of said Section 16

TRACT NO. GM 726B

That part of the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 28, Township 30 South, Range 15 East of W. M., lying within the area distant from the Easterly boundary of the right of way between the points indicated:

Width	From	To
100 feet	North line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$	South line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$

TRACT NO. GM 726D

That part of the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 33, Township 30 South, Range 15 East of W. M., lying within the area distant from the Easterly boundary of the right of way between the points indicated:

Width	From	To
100 feet	North line of said NW $\frac{1}{4}$ of SW $\frac{1}{4}$	West line of said NW $\frac{1}{4}$ of SW $\frac{1}{4}$

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TRACT NO. GM 727

Those portions of Lot 1, the S $\frac{1}{2}$  of NE $\frac{1}{4}$ , and W $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 5, and those portions of the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  and E $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 8, all in Township 31 South, Range 15 East of W. M., lying within the area distant from the Easterly boundary of the right of way between the points indicated:

Width	From	To
115 feet	North line of said Section 5	South line of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 8.

III.

TERMS  
AND  
CONDI-  
TIONS

(1) Grantor reserves all of the merchantable timber presently located on said rights of way and danger tree areas. It is agreed that Grantor shall immediately commence the removal of said timber and shall endeavor to remove the same prior to December 31, 1965. In the event that Grantor is unable to complete the removal of said timber prior to said date and said timber interferes with Grantee's transmission line construction operation, Grantee shall have the right to fall such interfering timber; provided that any timber so felled shall be bucked into log lengths as specified by Grantor's authorized representative and decked in horizontal piles, free of brush and debris, at locations approved by Grantor's authorized representative for later removal by Grantor.

(2) All brush, nonmerchantable timber, and structures which Grantee is entitled to remove hereunder shall become the property of Grantee and may be disposed of by Grantee by sale, burning, or otherwise; provided, that no fire hazard is created thereby.

(3) If any roads now in existence on said lands are damaged by Grantee, its employees, contractors, agents or assigns, Grantee



or its assigns will repair such damage.

(4) Grantee shall provide in any agreement for the clearing of the right of way, or transmission line construction that its contractor shall comply with the following conditions:

"(a) Contractor shall:

"(i) Pay for all damage to Weyerhaeuser Company's property resulting directly or indirectly from the negligent acts or omissions of Contractor hereunder, and reimburse Weyerhaeuser Company for all costs reasonably incurred for fighting fire resulting directly or indirectly from the Contractor's wrongful or negligent acts or omissions hereunder.

"(ii) Indemnify and hold harmless Weyerhaeuser Company against all claims or liabilities asserted by third parties, including all governmental agencies, resulting directly or indirectly from the Contractor's wrongful or negligent acts or omissions hereunder.

"(iii) Obtain and maintain during the term hereof liability insurance covering all motor vehicles and all other operations hereunder with limits of not less than \$100,000/300,000 personal injury and \$300,000 property damage, provided that the Contractor shall not be obligated to furnish coverage requiring the payment of additional premiums for contractual liability coverage.

"(iv) Upon discovery of fire in the vicinity of Contractor's operation, immediately notify Weyerhaeuser Company and the State Fire Warden thereof. 18

"(b) Weyerhaeuser Company has made no representation as to the present or future condition of its property or

the character of the traffic on any of its roads and Contractor assumes all risks of damage to property of or injury to Contractor in connection with the exercise of rights hereunder."

(5) Grantee shall comply with all laws and regulations, Federal or State, including, but not limited to, those related to forestry and conservation practices and the prevention, suppression and control of fire and all valid orders of Federal or State officials pertaining thereto.

(6) Grantor reserves for itself, its successors and assigns, the right to:

(a) use the land within said rights of way for all purposes not inconsistent with the Grantee's use of the same, and particularly the right to cross the same with railroads, truck roads and all other ways and means customary in transporting forest products;

(b) freely pass over and across said rights of way by all means and for any purpose incident to the ownership of adjacent lands; and

(c) use the surface of said land within said rights of way for ordinary agricultural operations; provided that, in the exercise of such rights no buildings or other structures shall be constructed on said land within said rights of way which will interfere with the operation and maintenance of the transmission lines located thereon.

(7) If Grantor, its successors or assigns, shall hereafter construct any railroad or truck road across any portion of said rights of way at any point where the power or transmission line clearance above ground is sufficient to permit the construction and operation of such railroad or truck road, Grantee will not

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thereafter lower such power or transmission lines without the written consent of the Grantor, its successors or assigns.

(8) Grantee shall maintain said rights of way reasonably free of inflammable debris, and neither cut, damage nor destroy any of Grantor's timber, except that herein specifically authorized, without Grantor's permission in writing.

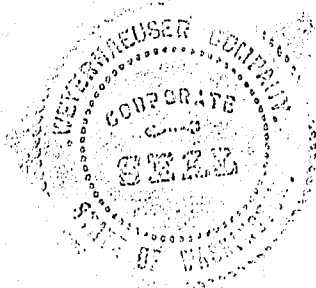
(9) The easements and rights herein granted are subject to all easements, reservations and encumbrances of public record.

(10) Grantor covenants to and with Grantee and its assigns that:

(a) The title to all brush, nonmerchantable timber, or structures existing upon the rights of way shall vest in the Grantee as of the date hereof, and the consideration stated herein is accepted by Grantor as full compensation for all damages incidental to the exercise of said easement and danger tree rights.

(b) Grantor is lawfully seized and possessed of the lands aforesaid; has a good and lawful right and power to sell and convey same; and the same are free and clear of encumbrances, except as above indicated; and Grantor will forever warrant and defend the title to said easement and the quiet possession thereof against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed this 20th day of January, 1966.



WEYERHAEUSER COMPANY

By W. P. Morgan  
Vice President and Manager,  
Timberlands

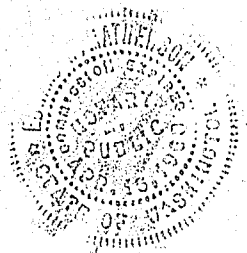
20 Attest: Mary B. Mosier  
Assistant Secretary

1402

STATE OF WASHINGTON )  
COUNTY OF PIERCE ) ss.

On this 25<sup>th</sup> day of January, 1966, before me personally appeared H. E. MORGAN, JR. and MARY B. MOSIER, to me known to be the Vice President and Manager, Timberlands, and Assistant Secretary, respectively, of Weyerhaeuser Company, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Edward W. Mathewson  
Notary Public in and for the State of  
Washington, residing at Tacoma

My commission expires: 4-16-68

STATE OF OREGON, COUNTY OF KLAMATH; ss.

Filed for record at request of \_\_\_\_\_  
this 18 day of February, 1966, at 3:30 o'clock PM, and  
duly recorded in Vol. M-66, of Deeds on Page 1391

Fee 18<sup>00</sup> pd.

By DOROTHY ROGERS, County Clerk  
C. Senecal

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PHILLIPS, JENNIN, SWELL & PHILLIPS  
BY W. Heston