

33346

EASEMENT AND RELEASE

Vol. <sup>m</sup> 77 Page 13766

RUSSELL GRIFFITH and LUCILLE GRIFFITH, husband and wife, hereinafter referred to as Grantors, for consideration received, hereby grant to PACIFIC POWER & LIGHT COMPANY, a Maine corporation, hereinafter referred to as Grantee, its successors and assigns, a perpetual easement upon the following described real property situated in Klamath County, Oregon, to wit:

In Township 39 South, Range 9 East of the Willamette Meridian:

Section 8: Beginning at the section corner common to Sections 8, 9, 16 and 17; thence North along the section line common to Sections 8 and 9 a distance of 1025.50 feet; thence North 54° 05' West a distance of 1720 feet more or less to the East bank of the Klamath River; thence Southerly along said East bank to the section line common to Sections 8 and 17; thence East along said section line to the point of beginning.

Section 9: Beginning at the Section corner common to Sections 8, 9, 16 and 17; thence North along the section line common to Sections 8 and 9 a distance of 1025.50 feet; thence South 54° 05' East a distance of 930 feet more or less to the Westerly right of way of the Southern Pacific Railroad; thence Southwesterly along said right of way a distance of 569 feet more or less to the section line common to Sections 9 and 17; thence West along said section line to the point of beginning.

Section 17: All that portion of said section lying Southeasterly of the Klamath River, Easterly and Northeasterly of the Lost River Diversion Channel and Northwesterly of the Southern Pacific Railroad,

EXCEPTING THEREFROM a tract of land in Government Lot 4 of Section 17, Township 39 South, Range 9 East of the Willamette Meridian of Klamath County, Oregon, described as follows:

Beginning at a point on the Westerly line of the California North-eastern Railroad Right of Way and the Southerly line of a private road known as Packing House Road, said road not being a recorded road; thence Northwesterly along said unrecorded road a distance of 198 feet; thence Southwesterly and parallel to the West line of said railroad a distance of 270 feet; thence Southeasterly and parallel to the Southerly line of said unrecorded road a distance of 198 feet to the Westerly line of said railroad; thence Northeasterly along said railroad a distance of 270 feet to the point of beginning.

for the purpose of maintaining, regulating and controlling the flowage of the Klamath River where said River borders on or is adjacent to the above described real property.

Grantors reserve the right to occupy and use said property for any purposes consistent with the easement herein granted.

PD-14-CO-52



Put in Box 12  
420 S.W. 6th St  
Don Hand Chas  
97401

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Grantors covenant that the easement hereinabove granted is free from liens or encumbrances, and that they will defend same against all persons who may lawfully claim same.

Grantors, for themselves and their heirs, successors and assigns, hereby release and forever discharge Grantee and its successors and assigns from any and all actions, causes of action, costs, claims, compensation, damages, demands, expense, loss or liability for or on account of any or all damages to the real property above described, and to any personal property or improvements thereon, resulting from or in any way arising from Grantee's maintenance, operation, regulation or control of the flowage of the Klamath River where said river borders on or is adjacent to said real property, including but not limited to wave action, erosion or overflowing thereof.

DATED this 29th day of June, 1977.

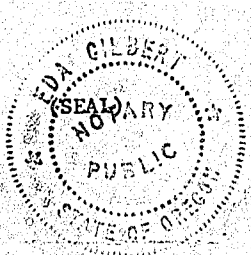
Russel Griffith  
Russell Griffith

Lucille Griffith  
Lucille Griffith

STATE OF OREGON )  
County of Klamath ) ss.

On this 29 day of June, 1977, personally appeared RUSSELL GRIFFITH and LUCILLE GRIFFITH, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



Eda Gilbert  
Notary Public for Oregon  
My commission expires: 6/1/81

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at XXXXXXXXXXXX

this 2nd day of AUGUST A. D. 1977 at 9:17 o'clock A.M., in

Vol. M77, of DEEDS on Page 13766

FEE \$ 6.00

Wm D. MILNE, County Clerk

By Hazel Dragit

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Ret. Pac Power & Light  
420 S.W. 6th Ave  
Bentham Ch  
97204

No. 449  
Impe  
Sam