

47612

RIGHT-OF-WAY OPTION

Vol. 78 Page 9157

The undersigned, Grantor, for and in consideration of \$ 75.00, hereby grants to PACIFIC POWER & LIGHT COMPANY, a corporation, its successors and assigns, Grantee, until midnight April 4, 1980, the exclusive option to purchase for the total sum of \$ 500.00, including said sum paid herewith, an easement for a right-of-way 145 feet in width for an electric transmission line of one or more wires and all necessary or desirable appurtenances, including towers, poles, props, guys and other supports, upon, over and across those certain premises situated in Township 38 S., Range 11 E., W.M. 36, County of Klamath, State of Oregon, along the course more particularly described and shown on the attachment hereto marked Exhibit "A", together with the further rights set forth in the form of easement attached hereto marked Exhibit "B", each by this reference made a part hereof.

This option shall be deemed duly exercised if Grantee shall within said option period or any extension thereof give written notice of Grantee's election to exercise this option. Such notice may be delivered to Grantor personally, or by letter duly directed and mailed to Grantor at the address hereinafter shown.

Grantee shall, within fifteen (15) days after giving such notice, tender to Grantor the balance of said purchase price by Grantee's check payable to the order of Grantor, and Grantor shall simultaneously execute, acknowledge and deliver to Grantee a good and sufficient easement substantially in said form attached hereto; or Grantee may within such time deposit said balance of the purchase price in escrow with a duly qualified title insurance company, Agent, and cause written notice of such deposit to be given Grantor, in which case, Grantor shall within thirty (30) days thereafter deliver such easement duly executed and acknowledged to said Agent for Grantee.

Grantee may, at its own risk, enter upon said premises at all times during said option period or any extension thereof for any purpose; provided, however, that if Grantee fails to exercise this option within said option period, then all of Grantee's rights hereunder shall terminate and Grantee shall remove all of its personal property from said premises and shall reimburse Grantor for any damages caused by Grantee to said premises or to any crops growing thereon.

Dated this fourth day of April, 19 78.

X Edgar A. Cawthon
Edgar A. Cawthon

X Ruth M. Cawthon
Ruth M. Cawthon

Address: 507 South Euclid St., SP# 134
Santa Ana, CA 92704

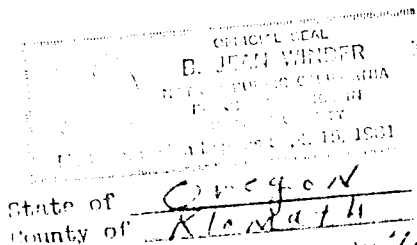
MODUC LAND INVESTMENT CORP.
Robert H. Davies President
President & Secretary

State of California)
County of Orange) ss

On this day personally appeared before me the above named Edgar A. and Ruth M. Cawthon known to me to be the identical person(s) who subscribed the within instrument, and acknowledged that they (he, she or they) freely executed the same as their (his, her or their) voluntary act and deed.

Given under my hand and official seal this 4th day of April, 19 78.

B. Jean Wilkins
Notary Public for Orange County
Residing at 530 W. Roberts
My Commission Expires: 9-15-81



State of Oregon
County of Klamath
May 4, 19 78

Personally appeared Robert H. Davies, who, being sworn, stated that he is the President of Moduc Land Investment Co. and that the seal affixed hereto is its seal and that this instrument was voluntarily signed and sealed in behalf of said corporation by authority of its Board of Directors.

Before me:

Gary Cusick
Notary Public for Oregon
My Commission expires: 11/11/79

EXHIBIT B

RIGHT-OF-WAY EASEMENT

9158

The undersigned, Grantor, in consideration of \$ _____, and other valuable consideration, hereby grants to PACIFIC POWER & LIGHT COMPANY, a corporation, its successors and assigns, Grantee, an easement for a right-of-way _____ feet in width for an electric transmission line of one or more wires and all necessary or desirable appurtenances, including towers, poles, props, guys and other supports, along the general course now located by Grantee over the following described property located in _____ County, State of Oregon, to wit:

As more particularly described on attached Exhibit(s) _____ by this reference made a part hereof.

The within grant shall include: ~~the right to clear said right-of-way~~ the right to clear said right-of-way and keep the same clear of brush, trees, timber and structures; the present and future right to clear and cut away all trees outside of said right-of-way which might endanger said transmission line; the right to construct, reconstruct, operate, maintain, replace, ~~enlarge~~ repair and remove any of said facilities, and the right of ingress and egress over adjacent lands of Grantor for all said purposes.

Grantee shall pay to Grantor reasonable compensation for any damage caused by Grantee to any property or crops on the above described real property arising out of the use thereof by Grantee.

At no time shall any flammable material or any building of any kind be placed or erected within the boundaries of said right-of-way, nor shall any equipment or material of any kind that exceeds _____ feet in height be placed or used thereon by Grantor or by Grantor's heirs, successors or assigns.

Subject to the foregoing limitations, said right-of-way may be used by Grantor for roads, agricultural crops and other purposes not inconsistent with said easement.

All such rights hereunder shall cease if and when such line shall have been abandoned and removed.

Executed this _____ day of _____, 19____.

State of Oregon)
County of _____) ss

On this day personally appeared before me the above named _____

known to me to be the identical person(s) who subscribed the within instrument, and acknowledged that _____ (he, she or they) freely executed the same as _____ (his, her or their) voluntary act and deed.

Given under my hand and official seal this _____ day of _____, 19____.

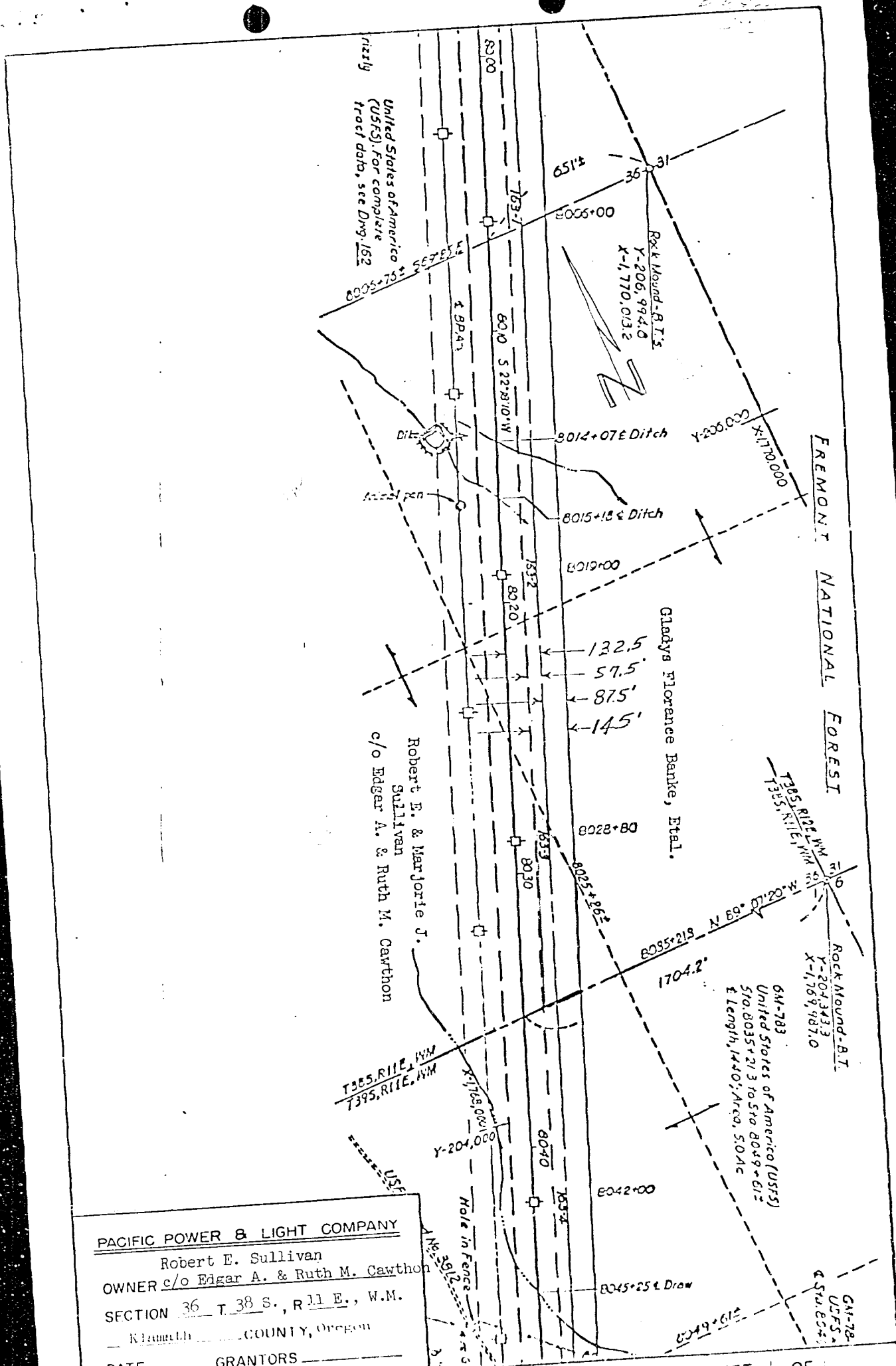
Notary Public for _____

Residing at _____

My commission expires: _____

7-3-74 (Oregon)

P P & L
820 SW 6th St R/W Dept
Portland OR



PACIFIC POWER & LIGHT COMPANY
 Robert E. Sullivan
 OWNER c/o Edgar A. & Ruth M. Cawthon
 SECTION 36 T. 38 S., R. 11 E., W.M.
 Klamath COUNTY, Oregon
 DATE _____ GRANTORS _____
 SCALE 1"=400' EXHIBIT "A"
 Total Distance - 600' Acres - 2.0

STATE OF OREGON; COUNTY OF KLAMATH; ss. :
 I hereby certify that the within instrument was received and filed for record on the 5th day of
 May A.D., 19 78 at 11:57 o'clock A.M., and duly recorded in Vol. N78
 of Deeds on Page 9157.
 FEE \$9.00
 WM. D. MILNE, County Clerk
 By Bessie D. Litch Deputy