

32458

K-36692

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EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, hereinafter referred to as Grantor, for and in consideration of the sum of One Dollar and other considerations, to the undersigned in hand paid by MIDSTATE ELECTRIC COOP, INC., an Oregon corporation, hereinafter called Grantee, the receipt of which is hereby acknowledged, does hereby grant, sell and convey unto said Grantee, its successors and assigns, a permanent easement on a strip of land ten (10) feet in width and approximately 2,680 feet in length for the construction, installation, maintenance and use of a buried 14,400 volt electric distribution line, said line to be buried forty (40) inches below the ground surface and extend over and across portions of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 15, the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 16, the N $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 22, and the N $\frac{1}{2}$  SE $\frac{1}{4}$  of Section 23, all in Township 31 South, Range 7 East, W.M., Klamath County, Oregon, said strip of land containing 0.615 acres and indicated in red on the plat marked "Exhibit A" attached hereto and by this reference made a part hereof.

This grant shall carry with it the right of ingress and egress to and from the said right of way, with the right to use existing roads, for the purpose of constructing, inspecting, repairing and maintaining facilities and the removal or replacement of same at will, either in whole or in part. During temporary periods Grantee may use such portion of said property along and adjacent to said right of way as may be reasonably necessary in connection with construction, maintenance, repair, removal or replacement of the facilities.

TO HAVE AND TO HOLD the above described rights and easements, together with all rights necessary to operate and maintain the facilities over the right of way hereby granted unto the said Grantee, its successors and assigns, and the Grantee may assign the rights and easements herein granted, either in whole or in part, subject to the terms of this grant, and such rights and easements shall be covenants running with the land and be binding upon Grantor, its legal representatives and successors in title.

Grantor reserves the right to the use and enjoyment of said property

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except for the purposes herein granted, but such use shall not conflict or interfere with Grantee's surface or subsurface rights hereunder.

The Grantee hereby agrees to save and hold harmless the Grantor from every charge, cost, damage, expense or liability of any kind or nature arising or growing out of this Easement, or the use and occupancy hereunder, or use and occupancy of same by an employee, contractor, guest or invitee of the Grantee, and/or any violation or noncompliance with the terms and conditions hereof.

Grantor represents and warrants that it is the owner in fee simple of the land hereinafter described.

IN WITNESS WHEREOF, the Grantor, CROWN ZELLERBACH CORPORATION, has caused this Easement to be executed as of the day and year set forth below.

CROWN ZELLERBACH CORPORATION

By *[Signature]*  
Vice President  
Northwest Timber Operations *MS*

STATE OF OREGON )  
 ) ss  
County of Multnomah)

On this 10th day of July, 1970, personally appeared C. W. RICHEN, who being duly sworn, did say that he is the Vice President, Northwest Timber Operations, and the attorney in fact for CROWN ZELLERBACH CORPORATION, and that he executed the foregoing instrument by authority of and in behalf of said principal, and he acknowledged said instrument to be the act and deed of said principal. Before me:

*Margaret M. O'Shea*  
Notary Public for the State of Oregon

My Commission expires: Jan. 25, 1974



*return  
Ketc*

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STATE OF OREGON: COUNTY OF KLAMATH:ss  
I hereby certify that the within instrument was received and filed for record on the 12th day of January A.D., 1984 at 3:04 o'clock P. M. and duly recorded in Vol 434, of Deeds on page 629.

Fee \$ 8.00

EVELYN BIEHN, COUNTY CLERK  
by *Lynn Smith* Deputy