

54260

MEMORANDUM OF AGREEMENT
AFFECTING REAL PROPERTY

Oregon

DATED AS OF: 9-10-91

Volume 92 Page 27714

BETWEEN:

Ron & Danni Bowers

13161 Hwy 39
Klamath Falls, Ore 97603

"OWNER"

AND:

PacifiCorp, dba
Pacific Power & Light Company
920 SW 6th Ave., 440 PFFC
Portland, Oregon 97204

"PP&L"

Owner is the owner of that certain real property in Klamath Falls, Klamath County, Oregon, commonly known as 13161 Hwy 39 and as more particularly described on attached Exhibit A (the "Property"). PP&L is a duly licensed and authorized public utility that provides electrical service in the area in which the Property is located.

Owner and PP&L are parties to that certain Energy Services Contract dated 9-10-91 (the "Agreement"), the terms and conditions of which are hereby incorporated by this reference and made part of this Memorandum of Agreement Affecting Real Property as if completely set forth herein, pursuant to which PP&L has agreed to provide conservation assistance as described in the Agreement for the purpose of improving the Property through weatherizing and making more energy efficient the structures, fixtures and facilities on the Property. The Agreement provides in part for Owner, Owner's successor or other persons occupying the Property to pay additional charges for conservation assistance provided or to be provided by PP&L to the Property, as authorized by Energy Services Tariff Schedule 130.

The Agreement also provides that PP&L may discontinue any and all such services, including the provision of electricity to the Property, if Owner, Owner's successor or other person occupying the Property ceases or fails to make such additional payments as scheduled.

The provisions of the Agreement shall run with the land and burden the Property, shall bind Owner and each successor or assignee of Owner and shall inure to the benefit of PP&L and its successors and assigns. Unless sooner terminated by PP&L in a duly recorded document, the provisions of the Agreement shall run with the land and burden the Property for a period of 240 payments after the date of recording of this Memorandum when the Agreement shall automatically cease to be an encumbrance on the Property assuming owner or assignee is not in default of the agreement at said time.

All persons acquiring or intending to acquire any interest in or to the Property during the effective period of this Memorandum should direct a written inquiry to PP&L at the following address:

Pacific Power & Light Company
ATTN: Demand-Side Resources
920 SW 6th Ave., 440 PFFC
Portland, OR 97204

All such inquiries must include the name of the owner and street address of the Property and be signed by such owner authorizing release of such information to the person making the request.

OWNER:

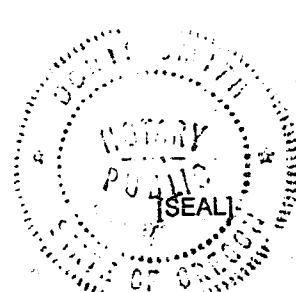
Ron & Danni Bowers
Danni Bowers
Ron (Ronald) R. Bowers

PP&L:

Cindy A. Davis
920 SW 6th Ave.
Portland, OR 97222

STATE OF OREGON)
 County of Klamath) ss.

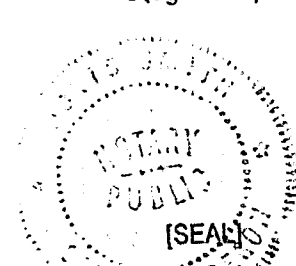
This instrument was acknowledged before me on Sept 11, 1991, by DANICE KAY BOWERS



Doris Smith
 Notary Public for Oregon
 My commission expires: 10/18/93

STATE OF OREGON)
 County of Klamath) ss.

This instrument was acknowledged before me on Sept 17, 1991, by Ronald L. Bowers,
 (Title) of Pacific Power & Light Company, an assumed business name of PacificCorp, an
 Oregon corporation.



Doris Smith
 Notary Public for Oregon
 My commission expires: 10/18/93

EXHIBIT "A"
LEGAL DESCRIPTION

A portion of the NW1/4 of Section 7, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Northwest corner of the NW1/4 of said Section 7; thence South 00 degrees 12' 30" East along the Section line a distance of 2302.0 feet to the point of beginning of this description; thence South 89 degrees 54' 30" East 660.0 feet to a point; thence South 00 degrees 12' 30" East 16.00 feet to a point; thence South 89 degrees 54' 30" East 86.79 feet to a point; thence North 15 degrees 40' 23" East 452.11 feet to a point; thence North 89 degrees 54' 30" West 870.52 feet to a point on the Section line; thence South 00 degrees 12' 30" East 419.50 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM that portion deeded to the State of Oregon by and through its State Highway Commission in Deed Book 232, page 421, Deed Records of Klamath County, Oregon.

Tax Account No: 4010 00700 01200



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of PP&L the 23rd day of Nov. A.D., 1992 at 11:02 o'clock AM., and duly recorded in Vol. M92 of Deeds on Page 27714.
FEE \$20.00
Evelyn Biehn County Clerk
By Doreen M. Henderson