

21544

Return to:

PacifiCorp
Attn: Kath Rose
920 S.W. 6th Ave., 1000 PSB
Portland, OR 97204

Vol. m96 Page 21383

Owner/Grantor:

RUNNING Y RESORT, INC
Right of Way Easement
Page 1

RC _____ ER _____ WO _____ JOB NO _____

RIGHT OF WAY EASEMENT
Corporate, Partnership, Other

The undersigned, Grantor, hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, Grantee, a perpetual easement for a right of way seventy five by one hundred thirty (75 x 130) feet in size for the placement of a distribution step-up bank facility, along with any and all necessary electric transmission lines, distribution lines, and communication lines of one or more wires or fibers and all necessary or desirable appurtenances, including but not limited to poles, props, equipment cabinets, pole and/or ground mounted transformers, guys, anchors, and other supports, along the general course now located by Grantee over the following described real property located in Klamath County, State of Oregon, to wit.

Said right of way located in the Northeast 1/4 of Section 22, Township 38 South, Range 8 East, W.M., and as more particularly described on attached Exhibits "A" and "B," by this reference made a part hereof.

The within grant shall include: The right to place all or any part of such lines underground; the right to install and maintain guys and anchors outside said right of way; the right to construct, reconstruct, enlarge, operate, maintain, inspect, replace, repair and remove any of said facilities; the right in the future to construct, reconstruct, enlarge, operate, maintain, inspect, replace, repair, and remove additional lines, wires and all necessary or desirable poles, structures and appurtenances thereto.

Together with the right to clear said right of way and keep the same clear of brush, trees, timber, fire hazards, and structures; the present and future right to clear and cut away all trees outside of said right of way which might endanger said facilities.

At no time shall any fires be permitted, nor flammable material be placed or stored within the right of way, provided, however, that vegetative fire hazards shall not include agricultural crops.

At no time shall any permanent buildings or structures 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 12 feet in height be temporarily 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.

96 JUL 17 P 3:27

304

21384

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RUNNING Y RESORT, INC.
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Grantee shall have the right of Ingress and egress over adjacent lands of Grantor for all said purposes not inconsistent with the use of this easement.

Grantee shall pay 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.

All such rights hereunder shall cease if and when such right of way shall have been abandoned.

Executed this 17th day of JULY, 19 96

[Signature]

GEN. MGR.

REPRESENTATIVE ACKNOWLEDGEMENT

(Corporate, Partnership, Attorney-in-Fact, Trustee(s), Guardian, Conservator, Executor(rix), Other)

State of OREGON)
) ss
County of KLAMATH)

This instrument was acknowledged before me on JULY 17, 19 96.

by SHERIDAN W. ATKINSON as GENERAL MGR.
of RUNNING Y RESORT, INC.



[Signature]
Notary Public for OREGON

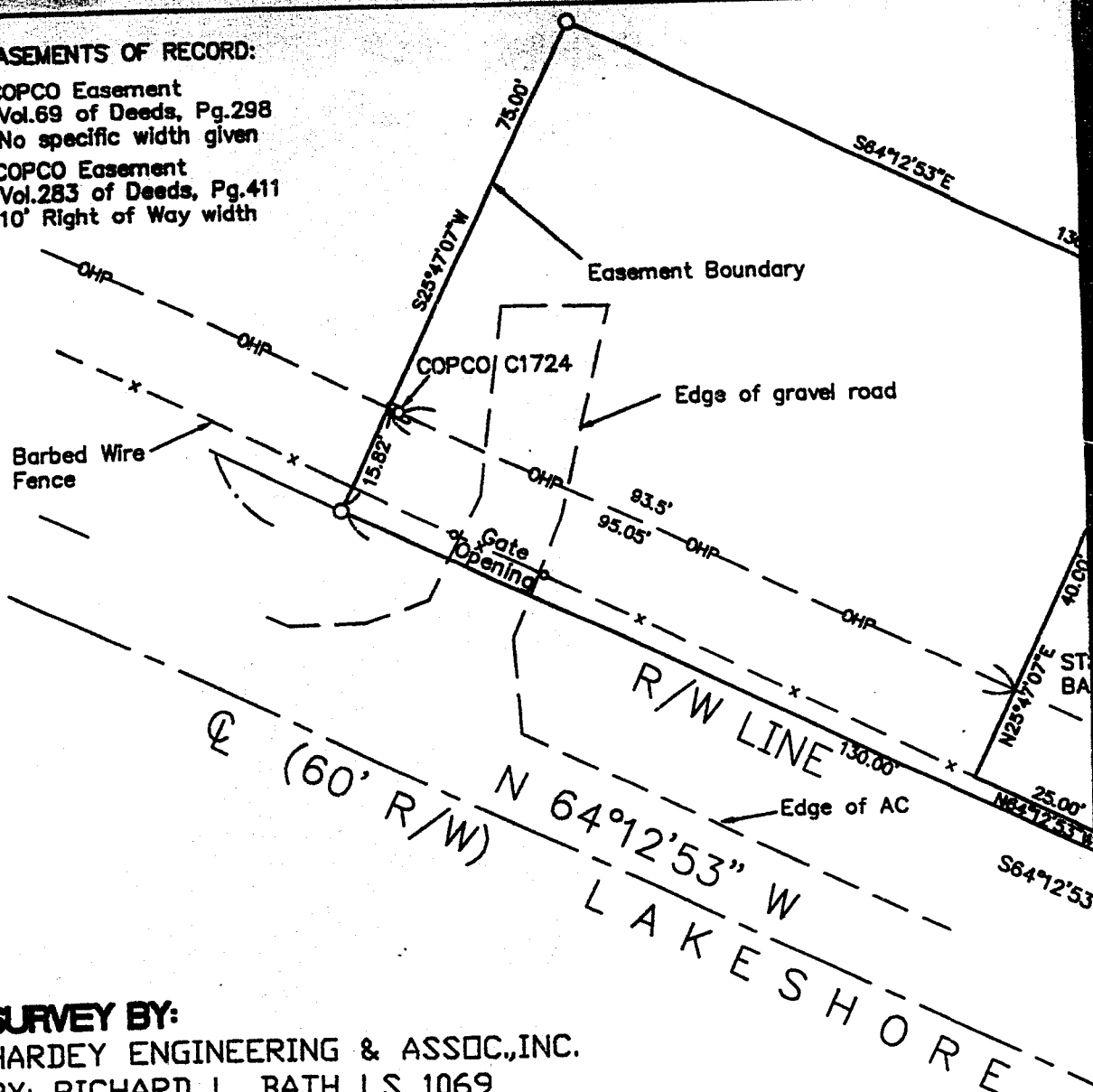
Residing at WEST LINN

My Commission Expires: 4-29-99

21385

EASEMENTS OF RECORD:

1. COPCO Easement
Vol.69 of Deeds, Pg.298
No specific width given
2. COPCO Easement
Vol.283 of Deeds, Pg.411
10' Right of Way width

**SURVEY BY:**

HARDEY ENGINEERING & ASSOC., INC.
 BY: RICHARD L. BATH LS 1069
 P.O. BOX 1625
 MEDFORD, OREGON 97501-0124

REGISTERED
**PROFESSIONAL
 LAND SURVEYOR**

Richard L. Bath

OREGON
 JULY 30, 1978
RICHARD L. BATH
 No. 1069

EXP. 12/31/97

38S 08E 22 TAX LOT 300

21387

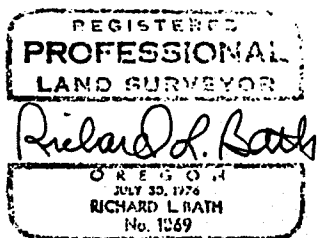
TO: Kath Rose
PP&L - Portland
July 2, 1996

EXHIBIT "B"

RE: Lakeshore Drive Step-up Bank site
Klamath Falls, Oregon

EASEMENT BOUNDARY DESCRIPTION:

Commencing at the northwest corner of Lot Four (4) of LAKEWOOD HEIGHTS, according to the official plat thereof, and being situated in the northwest quarter of Section 23 in Township 38 South, Range 8 East of the Willamette Meridian in Klamath County, Oregon, thence North 414.51 feet and West 548.03 feet to an iron pin marking a point of curvature on the northerly right-of-way line of Lakeshore Drive at Engineer's centerline station PC 48+00.05, said iron pin being North 686 feet and East 13 feet, more or less, from the quarter section corner common to Sections 22 and 23 of said Township and Range; thence North 64°12'53" West, along said northerly right-of-way line, 311.00 feet to a 5/8" iron pin for the **true point of beginning**; thence continue along said northerly right-of-way line North 64°12'53" West 130.00 feet to a 5/8" iron pin; thence North 25°47'07" East 75.00 feet to a 5/8" iron pin; thence South 64°12'53" East 130.00 feet to a 5/8" iron pin; thence South 25°47'07" West 75.00 feet to the true point of beginning.



HARDEY ENGINEERING & ASSOC., INC.
Richard L. Bath, RLS No. 1069
P.O. Box 1625
Medford, OR 97501-0124
(541) 772-6880 phone
(541) 772-9573 fax

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of PacifiCorp the 17th day
of July A.D., 19 96 at 3:27 o'clock PM., and duly recorded in Vol. M96
of Deeds on Page 21383

FEE \$30.00

Bernetha G. Letsch, County Clerk

By *[Signature]*