

36389

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Return to:

GRANTEE

The City of Klamath Falls

500 Klamath Ave.

Klamath Falls, OR 97601

OWNER/GRANTOR:JOHN C. RYAN401 NW ANTWERPREDWOOD, ORE97556RIGHT-OF-WAY OPTION

The undersigned, Grantor, for and in consideration of \$ 400.⁰⁰, hereby grants to the City of Klamath Falls, an Oregon municipal corporation, its successors and assigns, Grantee, until midnight, OCTOBER 10TH, 1997, the exclusive option to purchase for the total sum of \$ 400.⁰⁰ + 20YRS TAXES including said sum paid herewith, an easement for a right-of-way 125 feet in width for electric power transmission lines, distribution lines and communications lines of one or more wires, fibers, cables and other conductors and conduits and all necessary or desirable appurtenances, including towers, poles, props, guys and other supports, upon, over and across those certain premises situated in Township 39 S., Range 9 E., Section 18, 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.

During the term of this option, Grantee shall be and is hereby designated the agent of Grantor for the purposes of applying for or ratifying any conditional use permit required for the construction and operation of said transmission line.

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

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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 10 day of APRIL, 19 97.

[Signature]

Address: 401 NW ANTWER
REDMOND, ORE 97756

State of OREGON)
County of DESHUTES) ss

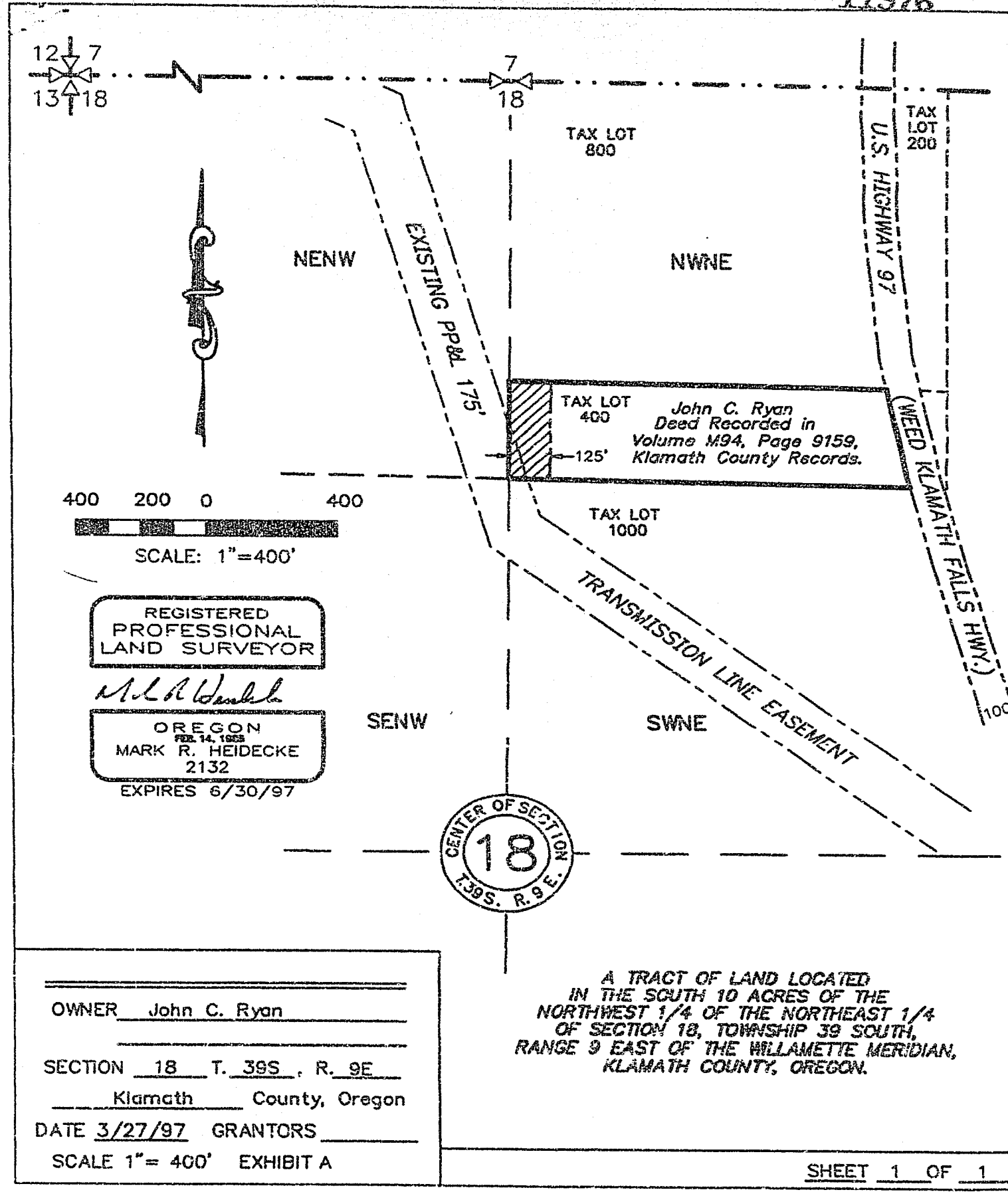
On this day personally appeared before me the above-name JOHN C. RYAN

and proved to me on the basis of satisfactory evidence to the person(s) whose name(s) subscribed to the within instrument, and acknowledged that HE executed it.

Witness under my hand and official seal this 10 day of APRIL, 1997,



[Signature]
Notary public for OREGON
Residing at LAKE OSWEGO
My commission Expires: 2-20-99



March 28, 1997

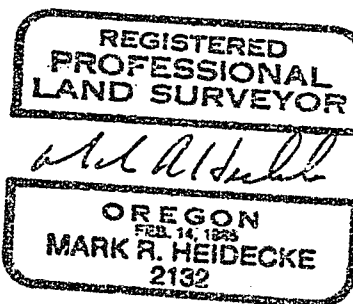
John C. Ryan

Klamath County, Oregon

Section 18 in Township 39 South, Range 9 East of the Willamette Meridian

A right-of-way 125 feet wide over and across that portion of the South 10 acres of the northwest quarter of the northeast quarter (NW1/4 NE1/4) of Section 18, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying westerly of the Westerly line of U.S. Highway 97 (Weed- Klamath Falls Highway). Said right-of-way being the West 125 feet, as measured perpendicularly to the west line thereof, of said South 10 acres.

The above described right-of-way contains 0.953 acres, more or less.



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Return to:
GRANTEE:
 The City of Klamath Falls

OWNER/GRANTOR:

TRANSMISSION RIGHT OF WAY EASEMENT

For value received, _____ (Grantor) hereby grants to the City of Klamath Falls, an Oregon municipal corporation, its successors and assigns (Grantee), an easement for a right of way _____ feet in width for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission lines, distribution lines and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: supporting towers, poles, props, guys and anchors, including guys and anchors outside of the right of way; wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, vaults and cabinets; along the general course now located by Grantee on, over or under the surface of the real property of Grantor in Klamath County, State of Oregon, more particularly described as follows or as more particularly described and/or shown on Exhibit(s) _____ attached hereto and by this reference made a part hereof:

Assessor's Map No. _____ Tax Parcel No. _____

During the term of the option, Grantee shall be and is hereby designated the agent of Grantor for the purposes of applying for or ratifying any conditional use permit required for the construction and operation of said transmission line.

Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefor) the future right to keep the right of way and adjacent lands clear of all brush, trees, timber, structures and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor erect or permit the erection of any buildings or structures of any kind or nature, or place or use or permit any equipment or material of any kind that exceeds twelve (12) feet in height, or light any fires, or place or store any flammable materials (other than agricultural crops), on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for roads, agricultural crops and other purposes not inconsistent with the purposes for which this easement has been granted; and Grantee shall reimburse Grantor for any physical damage to Grantor's property or crops caused by Grantee's activities.

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STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of _____ City of Klamath Falls _____ the 21st day of April A.D., 19 97 at 1:41 o'clock P. M., and duly recorded in Vol. M97 of _____ Deeds _____ on Page 11974.

FEE

\$30.00

Bernetha G. Letsch, County Clerk

by Kathleen Rose