

39267

Vol. M97 Page 18326

Return to:  
Pacific Power  
PO Box 728  
Klamath Falls, OR  
97601-0321  
RC: 41360 WO: 01201996

DISTRIBUTION RIGHT OF WAY EASEMENT

97 JUN 13 P3:05

For value received Richard A. Smith & Geneva A. Smith (Grantor) hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns (Grantee), an easement for a right of way 20 feet in width for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power 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:

Said property generally located in the NW ¼ of Section 12 Township 40S, Range 13E, of the Willamette Meridian, and more specifically described in Volume M94 Page 25852 in the Official Records of Klamath County.

Assessor's Map No. 40-13-12 Tax Parcel No. 2400

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 12 feet in height, or light any fires, or place or store any flammable material (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

2

18327

18327

18327

purposes not inconsistent with the purposes for which this easement has been granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their heirs, successors and assigns; and this easement shall terminate if and when Grantee shall have abandoned all use of the right of way and no longer has any future need therefor.

Signed this 3 day of June, 1997.

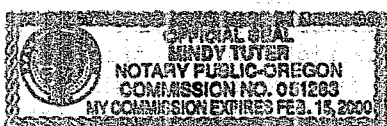
Richard A. Smith

Lenora A. Smith

STATE OF OREGON )

County of Oregon )

This instrument was acknowledged before me on June 3, 1997,  
by Mindy Tuter.



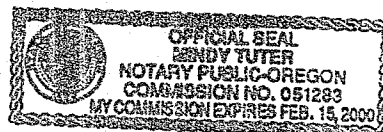
Mindy Tuter  
Notary Public  
My Commission Expires 2-15-2000

18328

State of OREGON

County of KlamathThis instrument was acknowledged before me on June 6, 19 97 by Mindy Tuter.Mindy Tuter

Notary Public - State of Oregon

My commission expires: 2-15-2000

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Pacific Power the 13th day  
of June A.D., 19 97 at 3:05 o'clock P. M., and duly recorded in Vol. M97  
of Deeds on Page 18326.

FEE \$20.00

By Bernetha G. Letsch, County Clerk  
Kathleen Ross