

80841949

Vol. 1197 Page 23807

Return to:
Pacific Power
PO Box 728
Klamath Falls, OR
97601-0321

JUL 25 1997

RC:41360 WO:01192384

UNDERGROUND DISTRIBUTION RIGHT OF WAY EASEMENT

97 JUL 25 P3:18

For value received, (Grantor) hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns (Grantee), an easement for a right of way ten (100 feet in width for the construction, reconstruction, operations, maintenance, repair, replacement, enlargement, and removal of underground electric power distribution lines, communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, vaults and cabinets; and the right to excavate and refill trenches therefor; 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) A attached hereto and by this reference made a part hereof:

Said property generally located in The Southwest Quarter (SW1/4) of The Northwest Quarter (NW1/4) of Section 4, Township 40 South, Range 9 East of the Willamette Meridian and more specifically described in Volume M96, Page 869, in the Official Records of Klamath County:

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 within the right of way without the prior written consent of Grantee, 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.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective 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.

201

Signed this 16 day of June, 1997.

PAVE & SEAL

BY: Barry Rigo, pres.

Title (President or Vice-President)

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office at the County of Klamath, State of Oregon, this 16 day of June, 1997.

Attested to:

BY: Karen Rigo
Secretary (Sec.)
Title (Secretary or Assistant-Sec.)

STATE OF OREGON

County of Klamath

This instrument was acknowledged before me on June 16, 1997,
by Barry Rigo as President
of Pave & Seal, Inc.

Peggy J. Seabach
Notary Public
My Commission Expires 11-23-99

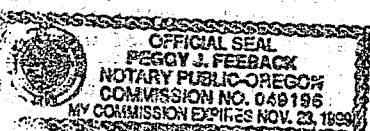
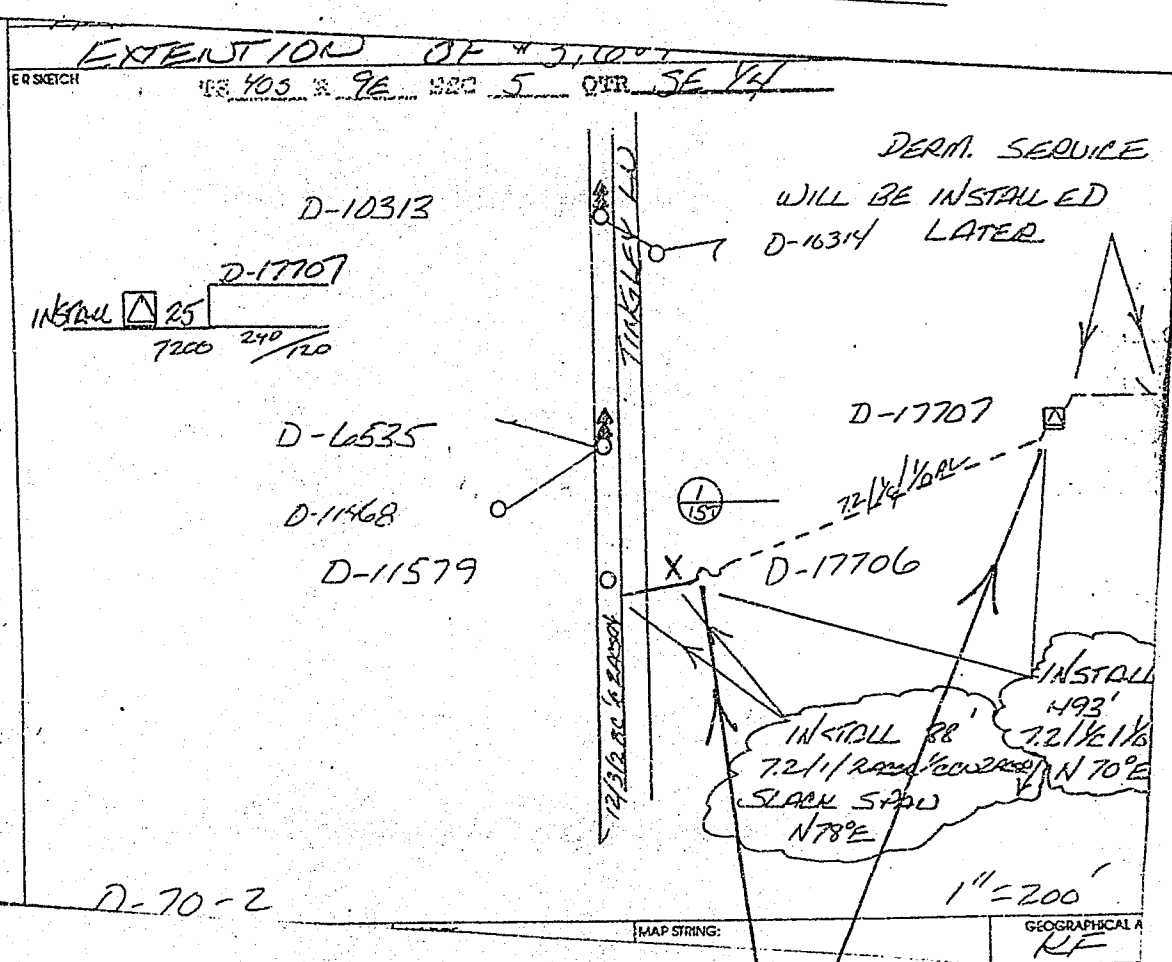


EXHIBIT A

Grantors: Pave & Seal

WO# 41360-01192384



R/W N 70° E
FOR 493 FT. R/W 10' WIDE

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ 25th _____ day
of _____ July _____ A.D., 1997 at 3:18 o'clock _____ P. M., and duly recorded in Vol. M97
of _____ Deeds _____ on Page 23807

FEE \$20.00

Bernetha G. Letsch, County Clerk
By Kathleen Ross