

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

RC: 41360 WO: 01184658

DISTRIBUTION RIGHT OF WAY EASEMENT

97 DEC 24 P239

For value received SCHWARTZ FAMILY TRUST (Grantor) hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns (Grantee), an easement for a right of way twenty (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 East Half (E ½) of Section 2, Township 36 South, Range 14 East of the Willamette Meridian, and more specifically described in Volume M93, Page 10923, in the Official Records of Klamath County.  
 Assessor's Map No. 36 14 & Index Tax Parcel No. 600

and

property generally located in the Southeast Quarter (SE ¼) of Section 35, Township 35 South, Range 14 East of the Willamette Meridian, and more specifically described in Volume 93, Page 10923, in the Official Records of Klamath County.  
 Assessor's Map No. 35 14 35 Tax Parcel No. 1600

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

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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 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 7<sup>th</sup> day of October, 1997.

Schwartz Family Trust

Donald Schwartz, Trustee  
Donald Schwartz, Trustee

Julia Schwartz, Trustee  
Julia Schwartz, Trustee

STATE OF OREGON

County of \_\_\_\_\_

)  
ss.  
)

This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_,  
by \_\_\_\_\_ as \_\_\_\_\_  
of \_\_\_\_\_

ls.

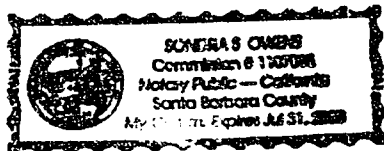
Notary Public  
My Commission Expires \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**35094**

State of CALIFORNIA  
 County of Santa Barbara  
 On October 7, 1997 before me, Sondra S. Owens, Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
 personally appeared Donald Schwartz and Julia Schwartz  
Name(s) of Signer(s)

☒ personally known to me ~~OR~~ ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies) and that by ~~his/her/their~~ signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Sondra S. Owens  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: Distribution Right of Way Easement  
 Document Date: October 7, 1997 Number of Pages: 1

Signer(s) Other Than Named Above: W/14

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Donald Schwartz

- ☐ Individual
- ☐ Corporate Officer
- Title(s): \_\_\_\_\_
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☒ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer Is Representing:  
Schwartz Family  
Trust

Signer's Name: Julia Schwartz

- ☐ Individual
- ☐ Corporate Officer
- Title(s): \_\_\_\_\_
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☒ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer Is Representing:  
Schwartz Family  
Trust

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Pacific Power the 24th day  
 of October A.D., 19 97 at 2:39 o'clock P. M., and duly recorded in Vol. M97  
 of Deeds on Page 35092

FEE \$20.00

By Bernetha G. Letsch, County Clerk  
Kathleen Rose