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Vol. 111 Page 38788

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

RC:41360.WO:01227895

97 NO. 26 AM 20

UNDERGROUND DISTRIBUTION RIGHT OF WAY EASEMENT

For value received, Oz, Investment LLC (Grantor) hereby grants to PacificCorp, an Oregon corporation, its successors and assigns (Grantee), an easement for a right of way ten (10) 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 shown on Exhibit (S) attached hereto and by this reference made a part hereof.

Said property generally located in The Southeast Quarter (SE 1/4) of The Northeast Quarter (NE 1/4) of Section 9, Township 39 South, Range 9 East, of the Willamette Meridian, and also known as Lot 15, Tract 1276.

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.

206

0070E

Signed this 15th day of September, 1997.

SECEP

38789

Oz, Investment LLC

Mark J. Zimel, member
Mark Zimel

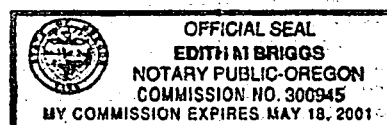
Steven Oliva, Member
Steven Oliva

STATE OF OREGON)

County of Washington)

SS.

This instrument was acknowledged before me on Sept 15, 1997.
by Mark J. Zimel, Member.



Edith M. Briggs
Notary Public
My Commission Expires May 18, 2001

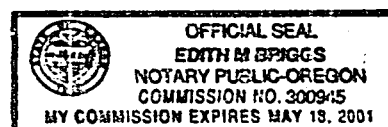
STATE OF OREGON)

County of Washington)

1s.

SS.

This instrument was acknowledged before me on Sept. 15, 1997.
by Steven Oliva, Member.



Edith M. Briggs
Notary Public
My Commission Expires May 18, 2001

1s.

38790

EXHIBIT "A"

SE⁴ NE⁴ OF SECTION 9, TOWNSHIP 39S, R 9E
WILLAMETTE MERIDIAN

TRACT 1276

LOT 15

D 9316

SECTIONALIZING CABINET
D 17768[S] 12.5 / 3 / 1/8 AL UND 5" PVC CONDUIT
EASEMENT AREA SOUTH 10 FEET OF LOT 15

WASHBURN WAY

DISTRICT <u>KLAMATH</u>	
NAME <u>BIG 5 SPORTING LODGE</u>	
CIRCUIT NUMBER _____	
MAP NO. _____	R.C. <u>41360</u>
DRAWN <u>J. COX</u> <u>8-19-97</u>	W.O. <u>01227895</u>

PACIFIC POWER
E R SKETCHSCALE 1" = 400'

FORM 2705 - 4/90

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Pacific Power the 26th day
of November A.D., 19 97 at 11:20 o'clock A. M., and duly recorded in Vol. M97
of Deeds on Page 38788

FEE \$20.00

By Bernetha G. Letsch, County Clerk
Karlton Rose