

Return to:

Pacific Power and Light Co.  
PO Box 728  
Klamath Falls, OR 97601-0321

RC: 41360 WO: 01291893

**DISTRIBUTION RIGHT OF WAY EASEMENT**

For value received Monti's Construction, Inc. (Grantor) hereby grants to PacificCorp, an Oregon corporation, its successors and assigns (Grantee), an easement for a right of way twenty-five (25) 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 Southwest Quarter (SW  $\frac{1}{4}$ ) of The Southeast Quarter (SE  $\frac{1}{4}$ ) of Section 28, Township 38 South, Range 9 East of the Willamette Meridian, and more specifically described in Volume 97, Page 9291, in the Official Records of Klamath County.

Assessor's Map No. 38 09 28DC

Tax Parcel No. 100 and 6100

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

15 CW

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 10th day of November, 1997.

Witness my hand and the seal of my office this 10th day of November, 1997, at Klamath Falls, Oregon.

Monti's Construction, Inc.

Kim Watterberg

Attested by: Kim Watterberg

Notary Public

FORM No. 786—ACKNOWLEDGMENT, CORPORATION (ORS 194.505(2)).

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STATE OF OREGON,

County of Klamath

ss.

11-10

, 1997

Personally appeared Martin I. Monti

who, being duly sworn, stated and acknowledged that the foregoing instrument was executed on behalf of

Monti's Construction Inc

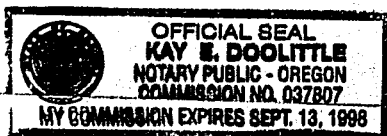
(Name of Corporation)

for the purposes stated therein; that the seal, if any, affixed to the instrument is the corporate seal of the corporation; and that he/she/they signed the instrument with proper authority and as the voluntary act of the corporation.

Before me: Kay E. Doolittle

Notary Public for Oregon

My commission expires: 9-13-98



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Pacific Power the 8th day of December A.D., 1997 at 3:59 o'clock P. M., and duly recorded in Vol. M97 of Deeds on Page 39876

FEE \$15.00

By Bernetha G. Leisch, County Clerk