

61223

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

Vol. M98 Page 23118

RC:41360 WO:01265312

UNDERGROUND DISTRIBUTION RIGHT OF WAY EASEMENT

For value received, KLAMATH TRIBE (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/or shown on Exhibit(s) A attached hereto and by this reference made a part hereof:

Said property generally located in The Northwest Quarter (NW 1/4) of The Northwest Quarter (NW 1/4) of Section 23, Township 36 South, Range 12 East, of the Willamette Meridian, and more specifically described in Volume M97, Page 8635, in the Official Records of Klamath County.

Assessor's Map No. 36 12 23 BB Tax Parcel No. 3400

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.

98 JUN 30 P3:18

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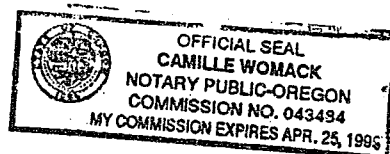
Signed this 15th day of October, 1997.

Klamath Tribe, A sovereign nation

Jeff C. Mitchell  
Jeff Mitchell, Council Chairman

Attested to by:

Barbara Kirk  
Barbara Kirk, Secretary



STATE OF OREGON

)  
SS.  
)

County of Klamath

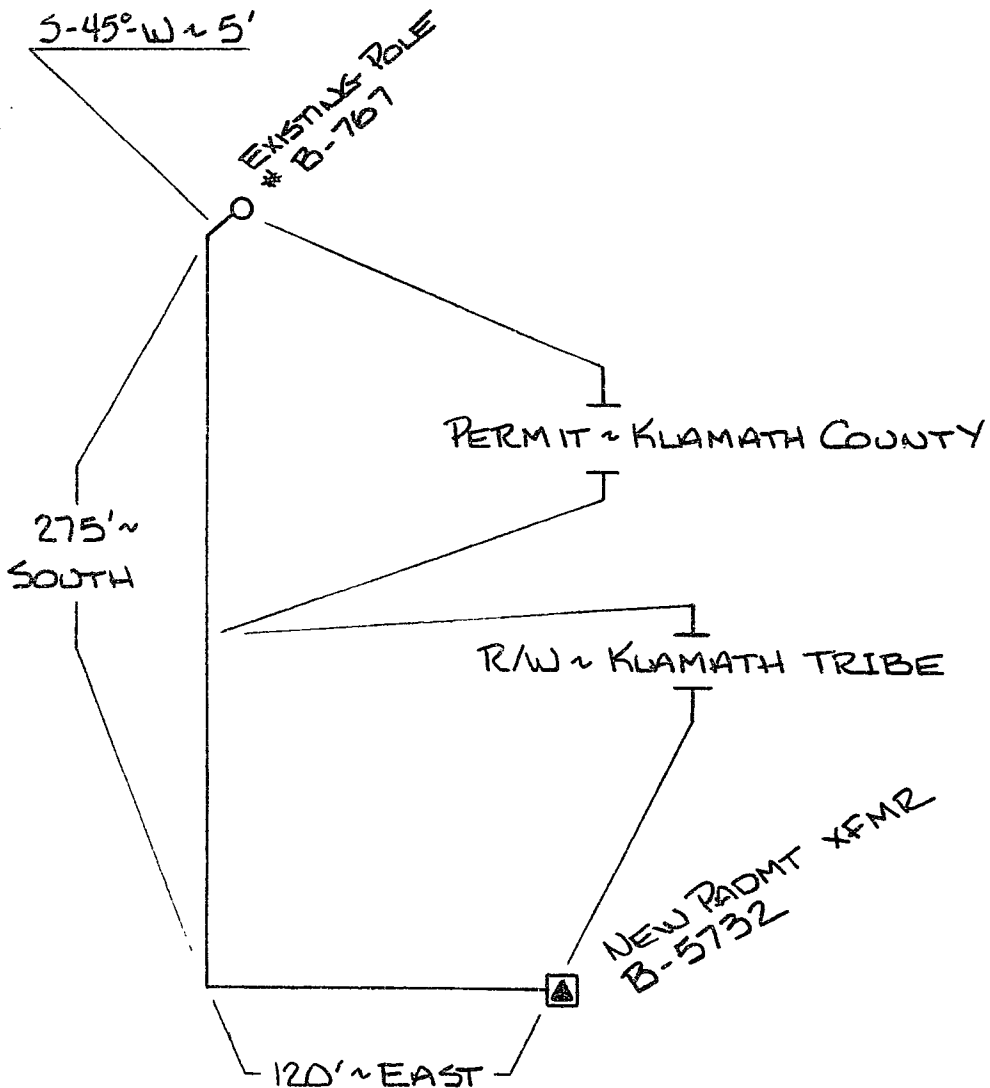
This instrument was acknowledged before me on Oct 15, 1997,  
by Jeff Mitchell and Barbara Kirk as Representatives  
of The Klamath Tribes.

Camille Womack  
Notary Public  
My Commission Expires 4-25-99

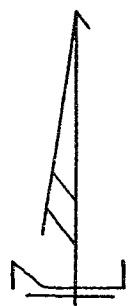
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# "EXHIBIT A"

23120



NEW PRIMARY CABLE : 7.2KV-1/2-1/2AL  
25KV JKT. ~ DIRECT BURIED



DISTRICT <u>KLAMATH FALLS</u> <u>OR</u>	
NAME <u>KLAM. TRIBE</u>	<u>WALNUT</u>
CIRCUIT NUMBER <u>5L1</u>	R.C. <u>41360</u>
MAP NO. <u>126B-132-6-C-2</u>	W.O. <u>01265312</u>
DRAWN <u>PALENSWORTH</u> 19 <u>97</u>	

PACIFIC POWER  
E R SKETCH

SCALE NONE

FORM 2705 - 4/90

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of Pacific Power the 30th day  
of June A.D., 19 98 at 3:18 o'clock P M., and duly recorded in Vol. M98  
of Deeds on Page 23118.

FEE \$20.00

By Bernetha G. Letsch, County Clerk  
Kathleen Rose