

69732

Vol. 1198 Page 41726

Return to: 36 Nov 10 12:00  
Pacific Power  
PO Box 728  
Klamath Falls, OR  
97601-0321

RC:41360 WO:01455728

### UNDERGROUND DISTRIBUTION RIGHT OF WAY EASEMENT

For value received, Merlin Fjarli(Grantor) hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns (Grantee), an easement for a right of way 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 E ½ SE ¼ of Section 9 Township 39S, Range 9E, of the Willamette Meridian, and more specifically described in Volume 91 Page 2811 in the Official Records of Klamath County.

Assessor's Map No. 39 09 09D Tax Parcel No. 200/300

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.

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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.

Signed this 15 day of Oct, 1998.

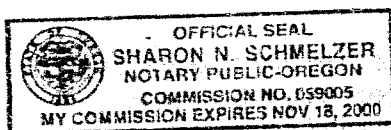
Merlin Fjarli  
Merlin Fjarli

STATE OF OREGON )

County of Oregon Jackson )

This instrument was acknowledged before me on October 15, 1998.

by Merlin Fjarli



Sharon N. Schmelzer

Notary Public

My Commission Expires 11-18-00

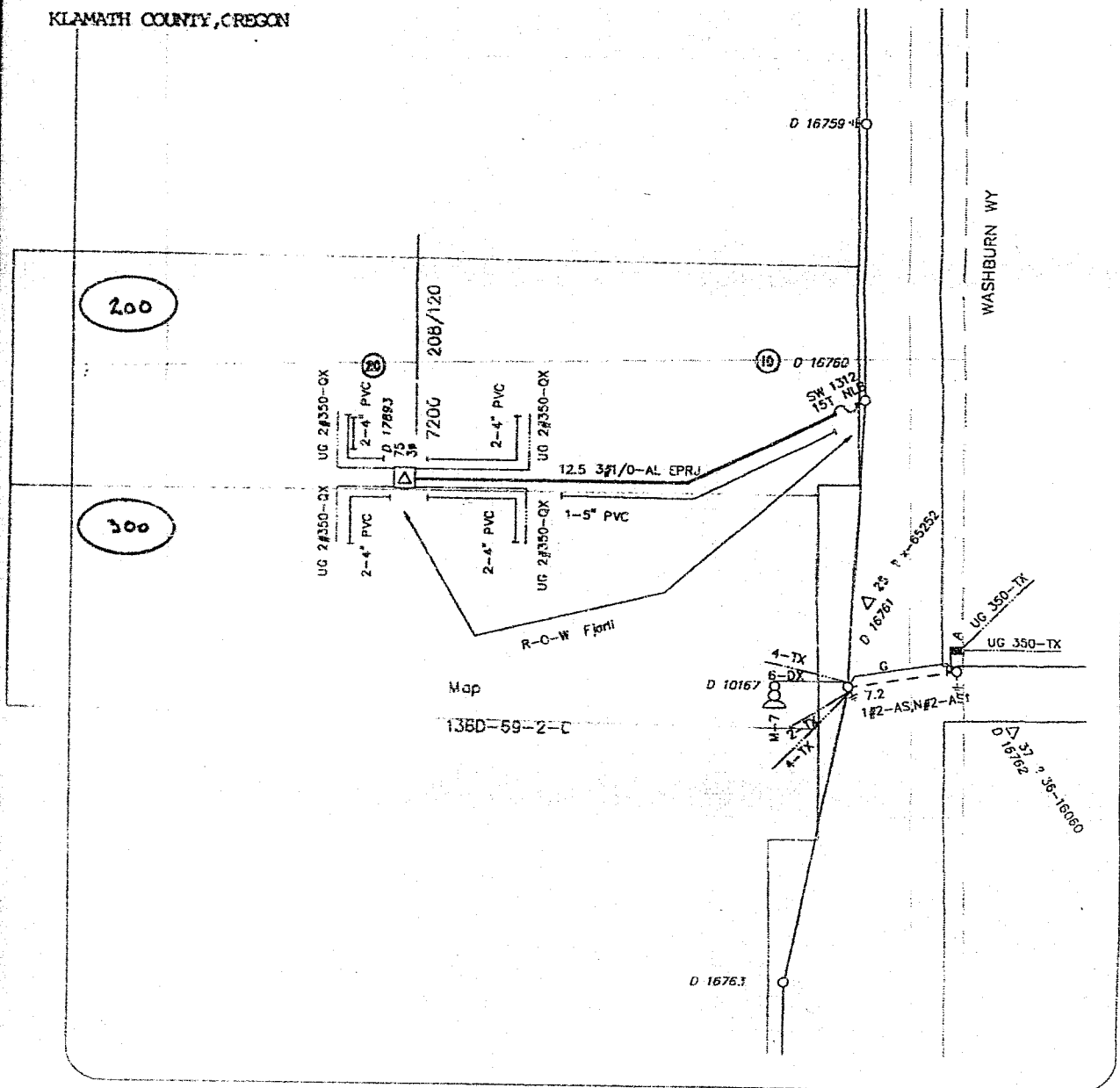
# EXHIBIT A

41728

PACIFIC POWER & LIGHT COMPANY

OWNER \_\_\_\_\_ E.R./W.O. \_\_\_\_\_  
 SEC. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_, W.M. \_\_\_\_\_ MAP \_\_\_\_\_

KLAMATH COUNTY, OREGON



RC# 41360	WO# / REQ# 01455728	Map String 01439009.0	EST ID# 24872	
CUSTOMER NAME So. Ore. Builders		Circuit 5L32	SCALE 1=100'	

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ PP&L \_\_\_\_\_ the 16th day  
 of \_\_\_\_\_ Nov \_\_\_\_\_ A.D., 19 98 at 12:00 o'clock \_\_\_\_\_ P \_\_\_\_\_ M., and duly recorded in Vol. \_\_\_\_\_ M98  
 of \_\_\_\_\_ Deeds \_\_\_\_\_ on Page 41726

FEE \$20.00

By Bernetha G. Letsch, County Clerk