

Ji M99 Page 45457

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

State of Oregon, County of Klamath  
Recorded 11/16/99, at 10:41 a. m.  
In Vol. M99 Page 45457  
Linda Smith,  
County Clerk Fee \$ 25.00

RC: 11176 WO: 1604956

### RIGHT OF WAY EASEMENT

For value received City of Klamath Falls (Grantor) hereby grants to PacificCorp, an Oregon corporation, its successors and assigns (Grantee), an easement for a right of way 10 feet in width and 410 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, distribution, 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 or as more particularly described and/or shown on Exhibit(s) A & C attached hereto and by this reference made a part hereof.

Said property generally located in the NW ¼ NE ¼, Section 22, Township 39S, Range 9E of the Willamette Meridian and more specifically described in Exhibit A & C.

Assessor's Map No. 3909-2200-00100 Tax Parcel No. 100

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, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place, use or permit any equipment or material of any kind that exceeds 12 feet in height, 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

\$25.00

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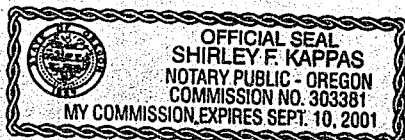
when Grantee shall have abandoned all use of the right of way and no longer has any future need therefor.

Signed this 28 day of October, 1999.

Jennie Messmer

STATE OF Oregon )  
County of Klamath ) SS.

This instrument was acknowledged before me on Oct. 28, 1999,  
by Jennie Messmer.



Shirley F. Kappas  
Notary Public  
My Commission Expires 9-10-01

## Exhibit "C"

## LEASE PARCEL

A tract of land situated in the north one-half of Section 22, Township 39 south, Range 9 east, Willamete Meridian, Klamath County, Oregon, being more particularly described as follows:

BEGINNING AT A POINT from which the northeast corner of said Section 22 bears north  $63^{\circ}55'53''$  east, 2,058.49 feet; thence south  $00^{\circ}00'00''$  west 263.49 feet; thence north  $90^{\circ}00'00''$  east, 100.00 feet; thence south  $00^{\circ}00'00''$  west, 193.99 feet; thence north  $90^{\circ}00'00''$  west, 143.36 feet to a point of non-tangent curvature; thence along the arc of a 485.00 foot radius non-tangent curve to the left, through a central angle of  $35^{\circ}58'23''$ , an arc distance of 304.51 feet (the long chord of which bears north  $72^{\circ}00'48''$  west, 299.53 feet) to a point of tangency; thence north  $90^{\circ}00'00''$  west 331.44 feet; thence north  $03^{\circ}30'27''$  west, 36.49 feet to a point of curvature; thence along the arc of a 450.00 foot radius curve to the left, through a central angle of  $33^{\circ}11'24''$ , an arc distance of 260.67 feet (the long chord of which bears north  $20^{\circ}06'10''$  west, 257.05 feet) to a point of tangency; thence north  $36^{\circ}41'52''$  west, 75.51 feet; thence north  $00^{\circ}00'00''$  east, 26.63 feet; thence north  $90^{\circ}00'00''$  east, 795.40 feet to the POINT OF BEGINNING.

This tract of land contains 6.68 acres more or less.

## OPTION PARCEL

A tract of land situated in the north one-half of Section 22, Township 39 south, Range 9 east, Willamete Meridian, Klamath County, Oregon, being more particularly described as follows:

Commencing at a point from which the northeast corner of said Section 22 bears north  $63^{\circ}55'53''$  east, 2,058.49 feet; thence north  $90^{\circ}00'00''$  west, 795.40 feet to the true POINT OF BEGINNING; thence south  $00^{\circ}00'00''$  east, 26.63 feet; thence south  $36^{\circ}41'52''$  east, 75.51 feet to a point of curvature; thence along the arc of a 450.00 foot radius curve to the right, through a central angle of  $33^{\circ}11'24''$ , an arc distance of 260.67 feet (the long chord of which bears south  $20^{\circ}06'10''$  east, 257.05 feet) to a point of tangency; thence south  $03^{\circ}30'27''$  east, 36.49 feet; thence north  $90^{\circ}00'00''$  west, 240 feet more or less to the easterly right-of-way line of Arnold Avenue; thence north  $00^{\circ}00'00''$  west, along said easterly right-of-way line, 365 feet; thence leaving said easterly right-of-way line, north  $90^{\circ}00'00''$  east, 104.43 feet to the POINT OF BEGINNING.

This tract of land contains 1.59 acres more or less.



# EXHIBIT A

45460

PACIFIC POWER & LIGHT COMPANY

OWNER JELD-WEN INC

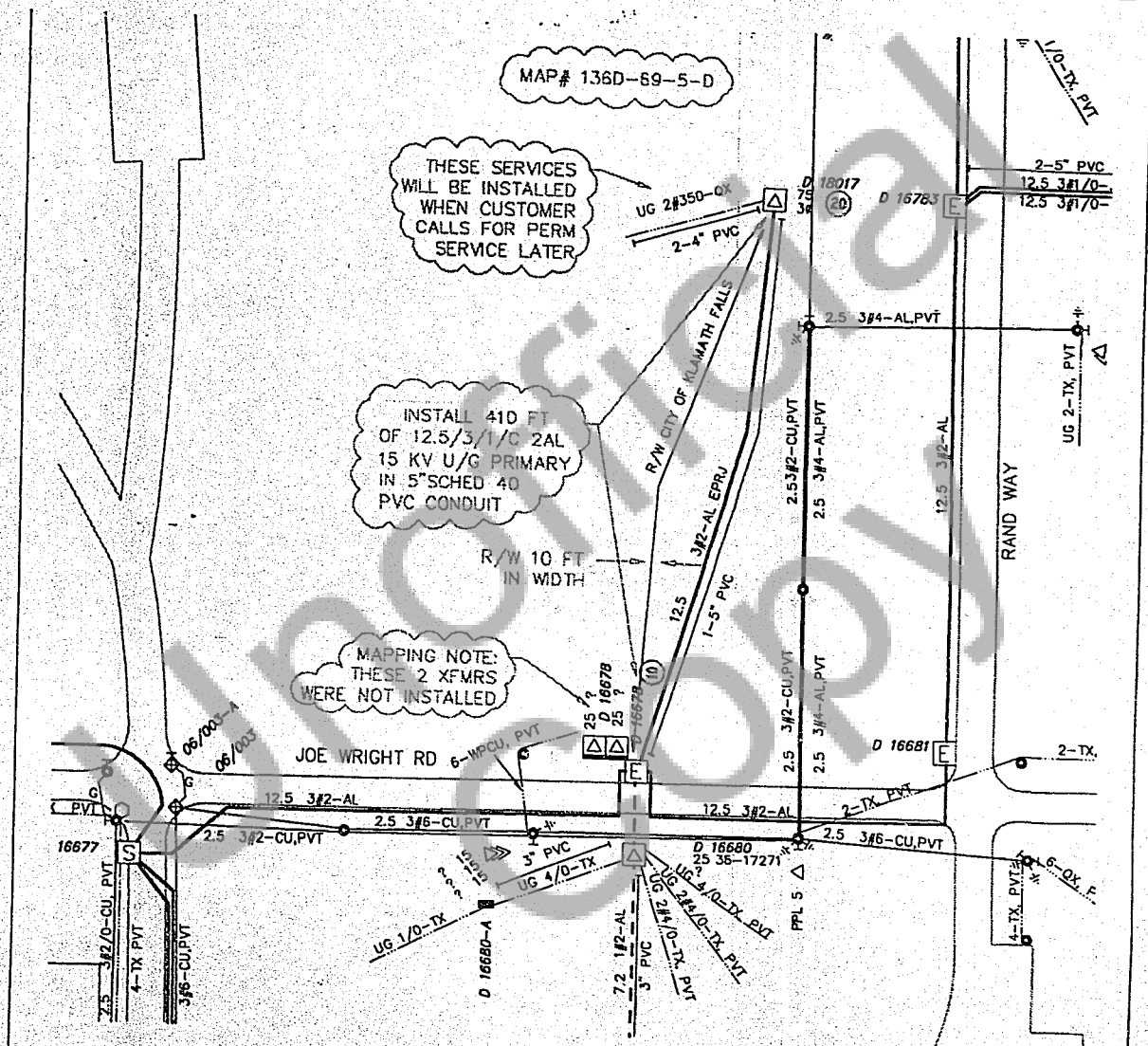
E.R./W.O. 11176-01604956


NW 1/4 NE 1/4 SEC. 22, T. 39S, R. 9E, W.M.

MAP 136D-69-5-D

KLAMATH COUNTY, OREGON

SCALE 1" = 100'



Foreman		Emp #	Job Start Date		 <b>PACIFICORP</b>
CC#	WO# / REQ#	Map String	Job Comp Date		
11176	001604956	01439009.0			1 OF 1
CUSTOMER : JELD-WEN NEW HANGER ADDRESS : 2850 AVIATOR WAY			Circuit 5L32	Post Jobs <input type="checkbox"/> ROIS <input type="checkbox"/> Posted <input type="checkbox"/>	EST ID# 83022 Print Date 10/27/99 Scale 1=100'

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