

1999 NOV 16 AM 10:41

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

RC: 41360 WO: 01643615

### RIGHT OF WAY EASEMENT

For value received Malin Park District, Paul Donahoe- President, Janice Woodhouse- Secretary (Grantor) hereby grants to PacificCorp, an Oregon corporation, its successors and assigns (Grantee), an underground easement for a right of way 5 feet in width and 182 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 attached hereto and by this reference made a part hereof.

Said property generally located in The NE 1/4/ NE 1/4 of Section 16 Township 41S, Range 12E, of the Willamette Meridian, and more specifically described in Volume 80 Page 170 in the Official Records of Klamath County.

Assessor's Map No. 4112-16 Tax Parcel No. 400

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.

1/6.11

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 9 day of November, 1999.

Paul Donahoe  
Paul Donahoe-President  
Malin Park District

Janice Wood  
Janice Woodhouse-Secretary  
Malin Park District

STATE OF OREGON )  
County of Klamath ) ss.

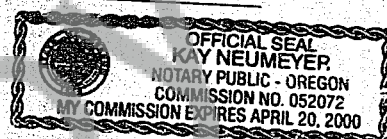
This instrument was acknowledged before me on  
November 9, 1999,

by Paul Donahoe as President  
of Malin Park District

Kay Neumeier

Notary Public  
My Commission

Expires April 20, 2000 ls.



STATE OF OREGON )  
County of Klamath ) ss.

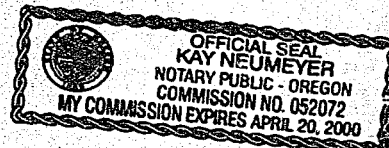
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State of Oregon, County of Klamath  
Recorded 11/16/99, at 10:41 a.m.  
In Vol. M99 Page 45461  
Linda Smith,  
County Clerk Fee \$ 15.00