

**Return to:**

Pacificorp  
P O Box 728  
Klamath Falls Or 97601  
11176-01765050

Vol M00 Page 30273RIGHT OF WAY EASEMENT

For value received, Albertson's Inc., ("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 105 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, 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 and as more particularly described and/or shown on Exhibit A attached hereto and by this reference made a part hereof:

Said property generally located in The NE ¼ of SE ¼ of Section 2 Township 39S, Range 9E, of the Willamette Meridian, and more specifically described in Volume M93 Page 11891 in the Official Records of Klamath County.

Assessor's Map No.39 09 02 DA

Tax Parcel No. 1501

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 twelve (12) feet in height, light any fires, 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 agricultural crops and other purposes not inconsistent, as determined by Grantee, with the purposes for which this easement has been granted.

36  
33 ✓

\*\* described on Schedule I attached hereto and incorporated herein

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

DATED this 27<sup>th</sup> day of July, ~~19~~ 2000

**Albertson's Inc.**

William H. Arnold (Title) *mm/Run*  
Vice President, Real Estate Law

Attest: John Thomas Brink  
Asst. Secretary (Title)

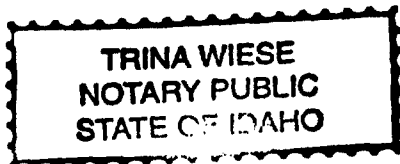
## REPRESENTATIVE ACKNOWLEDGMENT

STATE OF IDAHO )  
 ) ss.  
County of Ada )

This instrument was acknowledged before me on this 27<sup>th</sup> day of July.

19~~2000~~, by William H. Arnold, as

Vice President R.E. Law of Albertson's, Inc.



Trina Wiese  
Notary Public

My commission expires: 01/28/04

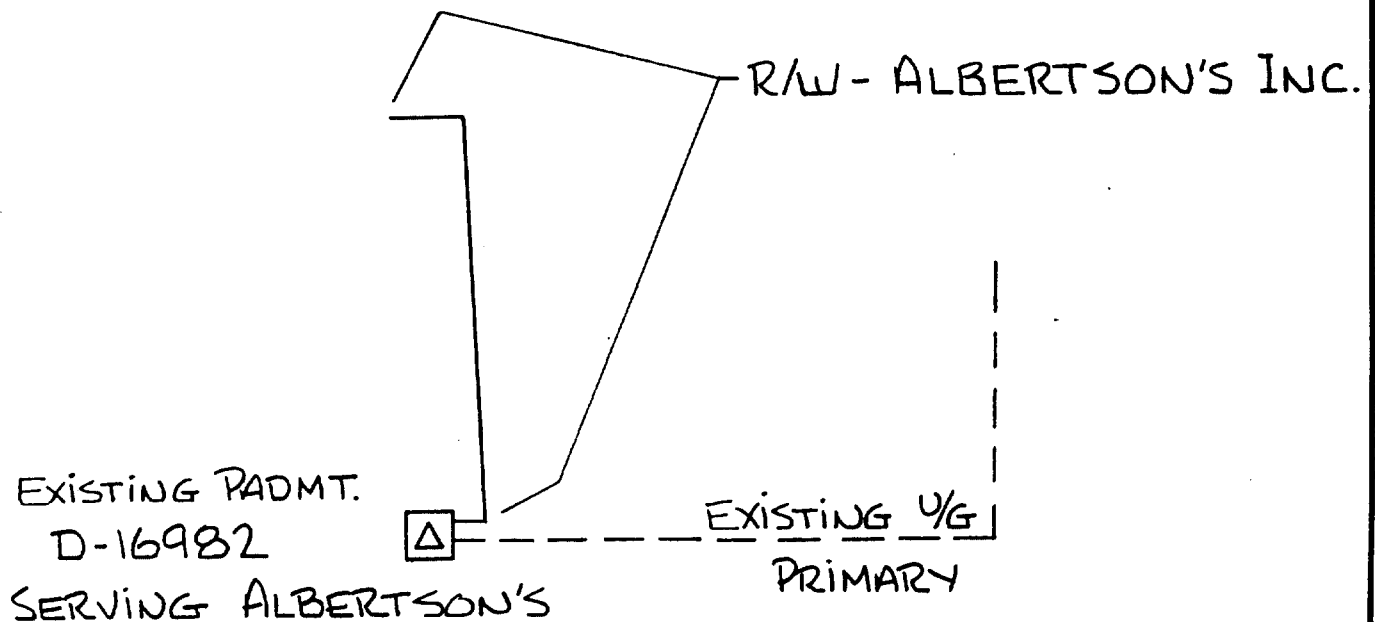
# "EXHIBIT A"

30275

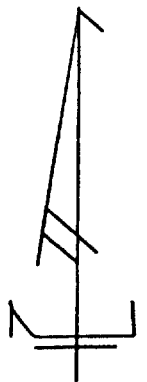
R/W REQUIRED FOR NEW SERVICE TO  
CAN AM RETAIL PARTNERS.

NEW SVC TO BE: 2 RUNS - 750 QX  
1 RUN - 500 QX

ALL CONDUCTORS IN PVC CONDUIT  
750 IN 5" - 1 SPARE PROVIDED  
500 IN 4" - 1 SPARE PROVIDED



APPLIED VOLTAGE: 120/208



DISTRICT <u>KLAMATH FALLS OR</u>	
NAME <u>CAN AM RETAIL</u>	<u>SO. 6TH</u>
CIRCUIT NUMBER <u>512</u>	R.C. <u>11176</u>
MAP NO. <u>136D-69-1-B-4</u>	W.O. <u>01765050</u>
DRAWN <u>FARNSWORTH</u> <u>2000</u>	

PACIFIC POWER  
E R SKETCH

SCALE NONE

FORM 2705 - 4/90

**SCHEDULE I****30276**OWNER  
DENNIS A. ENSOR, L.S., W.R.E.CHAD B. ENSOR, L.S.I.T.  
JOHN M. HEATON, L.S.I.T.**TRU SURVEYING, INC. LINE**  
TELEPHONE (541) 884-3891  
2333 SUMMERS LANE KLAMATH FALLS, OREGON 97603

JULY 24, 2000

**LEGAL DESCRIPTION OF 10 FOOT WIDE POWERLINE EASEMENT**

A 10 FOOT WIDE POWERLINE EASEMENT SITUATED IN PARCELS 1 AND 2 OF "LAND  
PARTITION 15-99", BEING IN THE NE1/4 SE1/4 OF SECTION 2, T39S, R9EWM, KLAMATH COUNTY,  
OREGON, THE CENTERLINE OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING PAD MOUNTED TRANSFORMER D-16982, THE LOCATION OF  
WHICH IS AS SHOWN ON DEED VOLUME M93 PAGE 29,669, FROM WHICH THE NORTHEAST  
CORNER OF SAID PARCEL 1 BEARS S89°43'42"E 80 FEET, N00°00'26"E 200 FEET AND S89°43'42"E  
5.00 FEET; THENCE, ALONG THE SAID CENTERLINE, S89°43'42"E 9 FEET, N00°00'26"E 85 FEET  
AND N89°43'42"W 9 FEET. \*\*

7/26/00  
JWA**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**OREGON  
JULY 25, 1990  
DENNIS A. ENSOR  
2442

EXPIRES 12/31/01

  
DENNIS A. ENSOR O.L.S. 2442

\*\* EXCEPT any portion of the above described  
property lying within the Building Area or  
Expansion Area of Parcel 2, as those terms  
are defined and described in that Declaration  
of Covenants, Grant of Easements and  
Common Area Maintenance Agreement dated  
May 2, 2000 and recorded in Vol.M00 at  
Page 15747, records of Klamath County,  
Oregon.

State of Oregon, County of Klamath  
Recorded 08/18/00, at 8:47 A.M.  
In Vol. M00 Page 30273  
Linda Smith,  
County Clerk Fee\$ 36.00