

Return to: Pacific Power  
1950 Mallard Ln  
Klamath Falls, OR 97601

CC#: 11176 WO#: 01955496

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RIGHT OF WAY EASEMENT

Vol M01 Page 56862

For value received, Kenneth E. Smith & Jancy J. Smith, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 275 feet in width and 20 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: supporting towers, poles, props, guys and anchor, 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 and 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 NW of NE ¼ of Section 16 Township 39S, Range 10E, of the Willamette Meridian, and more specifically described in Volume M-01 Page 43174 in the Official Records of Klamath County  
Assessor's Map No. 3910 -16 -1000 Tax Parcel No. 1000

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.

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

DATED this 12<sup>th</sup> day of September, 2001.

Kenneth E. Smith  
Grantor(s) Kenneth E Smith

Jancy J. Smith  
Grantor(s) Jancy J Smith

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oregon ss.

County of Klamath

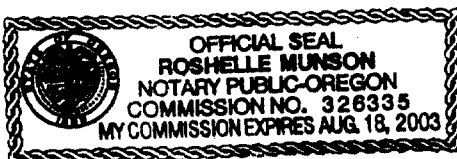
This instrument was acknowledged before me on this 12<sup>th</sup> day of September, 2001, by

Roshelle Munson

Roshelle Munson

Notary Public

My commission expires: August 18, 2003



State of Oregon, County of Klamath  
Recorded 11/06/01 11:47a. m.  
In Vol. M01 Page 56862  
Linda Smith,  
County Clerk Fee \$ 21<sup>00</sup>