

02/11/02 12:52

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Return to:
PacifiCorp
Rights Of Way
825 NE Multnomah LCT 1000
Portland, Or 97232
CC#: 13143 WO#: 02004816
ROW # 20025044

State of Oregon, County of Klamath
Recorded 04/11/2002 2:52 p m.
Vol M02, Pg 21536-39
Linda Smith, County Clerk
Fee \$ 36.00 # of Pgs 4

RIGHT OF WAY EASEMENT

For value received, **Bear Cat, Inc.**, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way **20** feet in width and **273** 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; wires, fibers, cables and other conductors and conduits therefor; transformers, switches, 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:

See Attached Exhibit A1

Assessor's Map No. **R39 09 10BB** Tax Parcel No. **203**

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 7 day of **March 2002**.

436 PacifiCorp

21537

Steven M. Carson

Steven M. Carson

President

Grantor(s)

REPRESENTATIVE ACKNOWLEDGMENT

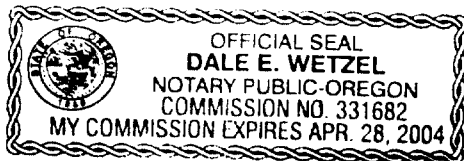
STATE OF Oregon

SS.

County of Klamath

This instrument was acknowledged before me on this 7 day of March 2002, by

Steven M. Carson as President of Bear Cat, Inc.



Dale E. Wetzel

Notary Public

My commission expires: APRIL 28, 2004

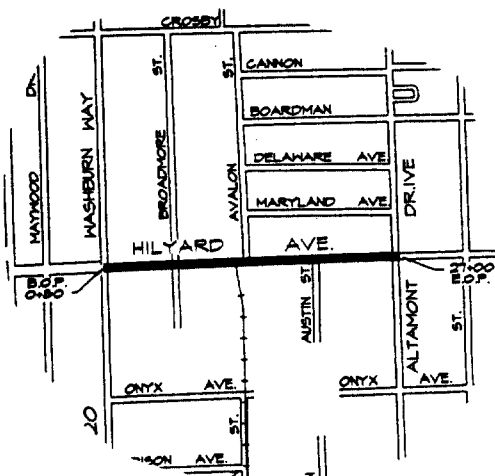
Property Description

R 3909-010BB-00203
Bear Cat, Inc.

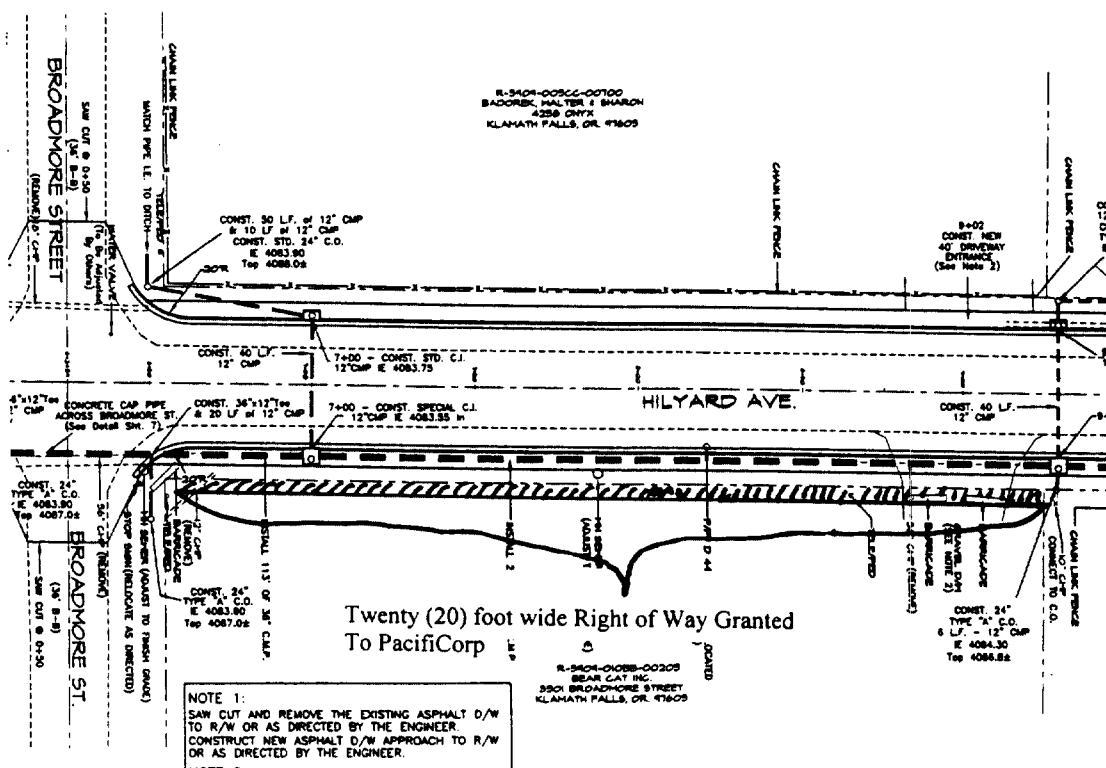
21538



Vicinity Map



KLAMATH COUNTY
DEPARTMENT OF PUBLIC WORKS
PLANS FOR PROPOSED PROJECT
HILYARD AVENUE
(WASHBURN WAY TO ALTAMONT DRIVE)
JANUARY 2002



Twenty (20) foot wide Right of Way Granted
To PacifiCorp

NOTE 1:
SAW CUT AND REMOVE THE EXISTING ASPHALT D/W
TO R/W OR AS DIRECTED BY THE ENGINEER.
CONSTRUCT NEW ASPHALT D/W APPROACH TO R/W
OR AS DIRECTED BY THE ENGINEER.

CC#: 13143

WO#: 02004816

NAME:

DRAWN BY:

This drawing should be used only as a representation of the location of the easement being conveyed. The exact location of all structures, lines and appurtenances is subject to change.

EXHIBIT A

PacifiCorp

Exhibit A1

A tract of land situated in the NW ¼ NW ¼ of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, said tract being Parcel 2 as shown on the recorded Major Land Partition No. 79-37, said tract being more particularly described as follows:

Beginning at a 5/8 inch iron pin with cap at the intersection of the Southerly right of way line of Hilyard Avenue and the Easterly right of way line of the Southerly extension of Broadmore Street, said iron pin being South 89 degrees 06' 00" East 64.11 feet, South 00 degrees 02' 42" East 30.00 feet and South 89 degrees 06' 00" East 594.40 feet from the Northwest corner of said Section 10, thence South 89 degrees 06' 00" East, along the Southerly right of way line of said Hilyard Avenue, 273.22 feet to a 5/8 inch iron pin with cap; thence South 00 degrees 54' 00" West 557.76 feet to a 5/8 inch iron pin; thence North 89 degrees 33' 43" West 240.37 feet to a 5/8 inch iron pin with cap on the Easterly right of way line of said Southerly extension of Broadmore Street; thence, Northerly along said Broadmore Street extension, North 00 degrees 09' 48" East 20.14 feet, along the arc of a curve to the left (central angle = .16 degrees 49' 31" and radius = 330.00 feet) 96.91 feet, along the arc of a curve to the right (central angle = 16 degrees 49' 31" and radius = 270.00 feet) 79.29 feet, and North 00 degrees 09' 48" East 366.25 feet to the point of beginning, with bearings being based on the recorded map of survey of said Major Land Partition.