

2:52

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

Vol M02 Page 21540

State of Oregon, County of Klamath  
Recorded 04/11/2002 2:52 p m.  
Vol M02. Pg 21540-43  
Linda Smith, County Clerk  
Fee \$ 36.00 # of Pgs 4

### RIGHT OF WAY EASEMENT

For value received, **Henry J. Caldwell Jr. and Deborah L. Caldwell, Individually and as Trustees of the Caldwell Family Trust, ("Grantor")**, hereby grants to **PacifiCorp**, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 15 feet in width and 534 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 ( owned and operated by PacifiCorp) and all necessary or desirable accessories and appurtenances thereto, including without limitation: supporting towers, poles, props, guys and anchor, including guys and anchors within 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:

See Attached Exhibit A1

Assessor's Map No. **R39 09 10BB** Tax Parcel No. **200**

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.

B 36  
C: PacifiCorp

DATED this 31<sup>st</sup> day of **March 2002**.

Henry J. Caldwell Jr.  
**Henry J. Caldwell, JR**  
Individually and as Trustees  
Grantor(s)

Deborah L. Caldwell  
**Deborah L. Caldwell**  
Individually and as Trustees  
Grantor(s)

INDIVIDUAL ACKNOWLEDGMENT

STATE OF **Oregon**

SS.

County of **Klamath**

This instrument was acknowledged before me on this 31<sup>st</sup> day of March 2002, by  
**Henry J. Caldwell Jr. and Deborah L. Caldwell, Individually and as Trustees of the  
Caldwell Family Trust.**

Stephen Van Buren  
Notary Public

My commission expires: July 9, 2004



**EXHIBIT A1  
LEGAL DESCRIPTION**

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 a portion of Parcel 1 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 Washburn Way, said iron pin being South 89 degrees 06' 00" East 64.11 feet and South 00 degrees 02' 42" East 30.00 feet from the Northwest corner of said Section 10; thence South 89 degrees 06' 00" East along the said Southerly right of way line of Hilyard Avenue, 534.46 feet, more or less, to the West right of way line of Broadmore Street, as described in Volume M87 at page 18488, Microfilm Records of Klamath County, Oregon, thence along said West line of Broadmore Street South 00 degrees 09' 48" West 560.42 feet to a point on the North line of that tract of land described in Volume M86 at page 6690, Microfilm Records of Klamath County, Oregon, thence North 89 degrees 33' 43" West along said North line and the North line of Deed Volume M73 at page 10203, Microfilm Records of Klamath County, Oregon, to a 5/8 inch iron pin with cap on the Easterly right of way line of Washburn Way; thence North 00 degrees 02' 42" West along said Easterly right of way line, 564.75 feet to the point of beginning, with bearings based on the recorded map of survey of said Major Land Partition 79-37.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its Department of Transportation by deed recorded December 21, 1995 in Volume M95 at page 34788, Microfilm Records of Klamath County, Oregon, and also in deed recorded December 12, 1996 in Volume M96 at page 38695, Microfilm Records of Klamath County, Oregon.

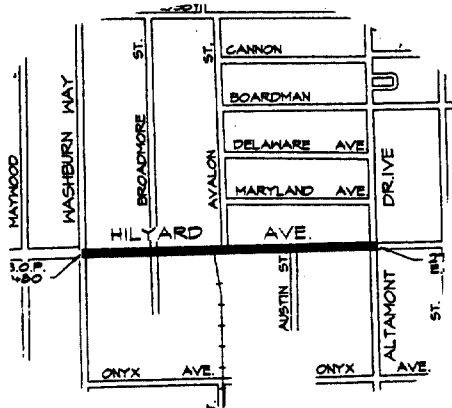
# Property Description

**R 3909—1-BB-00200**  
**Caldwell, Henry and Deborah**

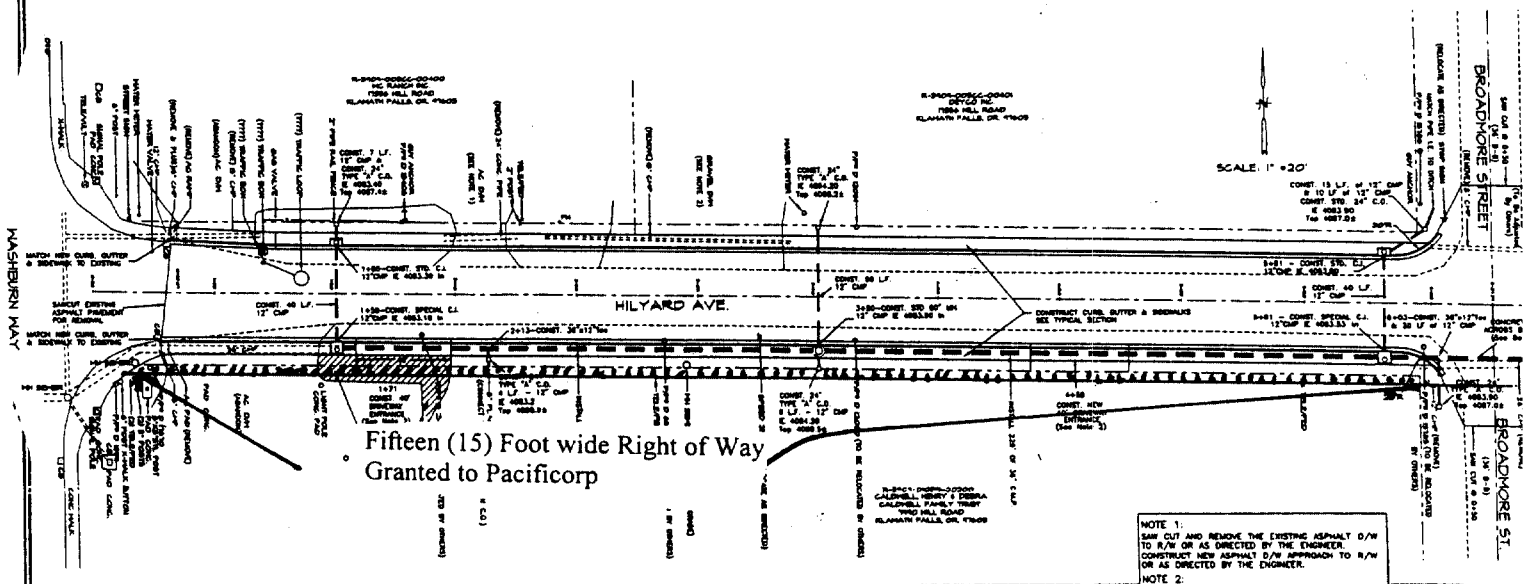
21543



## Vicinity Map



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



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.

**PacifiCorp** RW 20025044

**EXHIBIT A**