

Return to:

Pacific Power
1950 Mallard Ln
Klamath Falls, OR 97601
Cost Center #11176 Internal #1925643

State of Oregon, County of Klamath
Recorded 05/07/2002 2:36 p m.
Vol M02, Pg 27203-05
Linda Smith, County Clerk
Fee \$ 31.00 # of Pgs 3

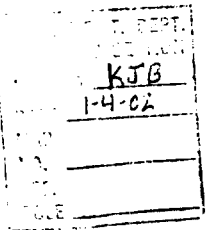
RIGHT OF WAY EASEMENT

For value received, the Klamath Tribes ("Grantor"), hereby grants to PacificCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 20 feet in width and 275 feet in length, more or less, for the sole and limited purpose of fulfilling the terms of General Service Contract # 886488093, Request # 01925643, which may include if necessary, the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, distribution and communication lines and 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, 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:

Situated in a portion of the SE ¼ Section 16 Township 35 S, Range 7E, of the Willamette Meridian.

Assessor's Map No. 35 07 16

Tax Parcel No. 601



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, location of right of access from adjacent lands to be determined by Grantor; and together with the present and (without payment therefore) 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 pursuant to the purpose of this right of way.

Grantor may continue to use the right of way for purposes not inconsistent with the purposes for which this right of way easement has been granted.

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 with the purposes for which this easement has been granted.

27204

This right of way easement is for the sole and limited purpose set forth herein. Grantor retains sole and exclusive jurisdiction over the lands subject to the right of way easement.

This right of way easement shall be valid so long as PPL is required to provide services to the Klamath Tribes as described herein; provided however that this easement shall also be terminable in whole or in part by the Grantor for any of the following causes upon 30 days written notice and failure of the Grantee within said notice period to correct the basis of termination:

- A. Failure to comply with any term or condition of the grant;
- B. Nonuse of the right of way easement for a consecutive two-year period for the purpose for which it was granted; or
- C. Abandonment of the right of way easement.

The easement is subject to any prior valid existing right or adverse claim. The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

Dated this 12th day of September, 2001.

By: [Signature]
Chairman

Attest: [Signature]
Secretary

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF Oregon

ss.

County of Klamath

This instrument was acknowledged before me on this 12th day of September, 2001, by Allen Foreman, as Chairman of Klamath Tribes.

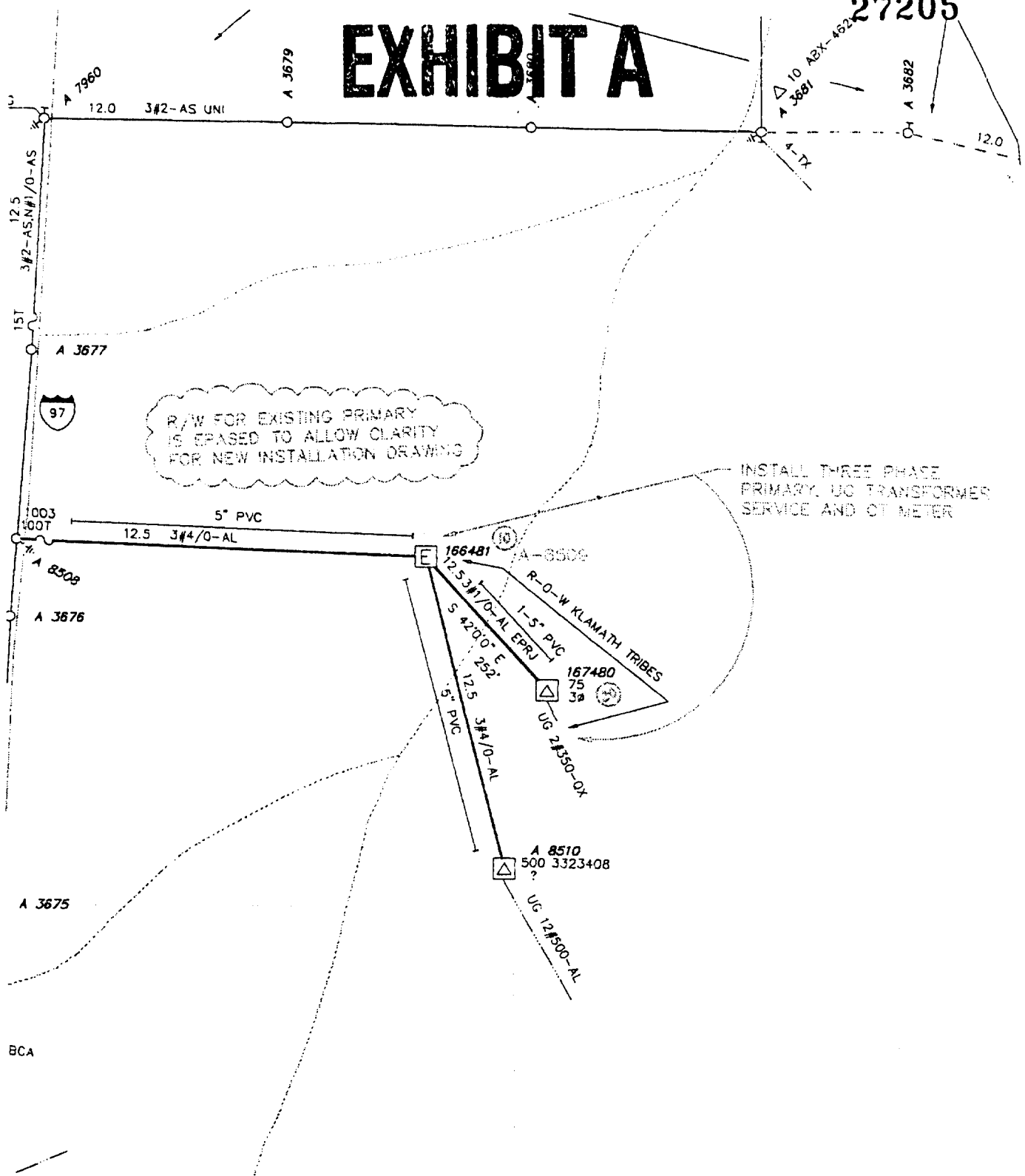



Betty Case
Notary Public

My Commission expires: 9-19-2004

EXHIBIT A

27205



Foreman		Emp #	Job Start Date		 PACIFICORP 1 OF 1		
CC#	WO# / REQ#	Map String	Job Comp Date				
11176	001925643	01435007.0					
CUSTOMER : KLAMATH TRIBE ADDRESS : 34333 HWY 97 N			Circuit 5L37	Post Jobs <input type="checkbox"/> Roll <input type="checkbox"/> Posted <input type="checkbox"/>	EST ID# 24872	Print Date 08/15/01	Scale 1=200'