

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

CC: 11176 WO: 01975157

RIGHT OF WAY EASEMENT

Vol M02 Page 40739

'02 JUL 18 PM 2:21

For value received, Cherry Creek Aggregate L.L.C., ("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 1400 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, 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, as more particularly described and/or shown on Exhibit(s) "A" attached hereto and by this reference made a part hereof:

Situated in a portion of the W 1/2 Section 23 Township 34S, Range 6E, of the Willamette Meridian, and more specifically described in Volume 66 Page 2246 in the Official Records of Klamath County.

Assessor's Map No. 34 06 23 Tax Parcel No. 500

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 8th day of July, 2002.

CHERRY CREEK AGGREGATE L.L.C

BY: Keith Hamilton
Keith Hamilton / Managing Partner

Attest:

Carol A. Howland
Secretary or Co-Partner

State of Oregon, County of Klamath

Recorded 07/18/2002 2:21 p.m.

Vol M02. Pg 40739-40

Linda Smith, County Clerk

Fee \$ 26.00 # of Pgs 2

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OREGON

County of KLAMATH

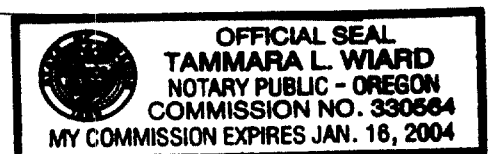
ss.

This instrument was acknowledged before me on this 8th day of July, 2002, by

TAMMARA L. WIARD, as _____ of _____

Tammara L. Wiard
Notary Public

My commission expires: 1/16/04



This drawing is preliminary and 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.

40740

EXHIBIT A

