

EASEMENT

20023125A

'03 JAN 24 AM 10:11 RT: NOW ALL MEN BY THESE PRESENTS, that the undersigned, **Russ Wagnon**, the record owner(s) of the real property located in Klamath County, State of Oregon, more particularly described as:

Portion: SE1/4

Section: 16, Township: 23 South, Range: 10 East, Willamette Meridian

Subdivision: Antelope Meadows

Lot: 4, Block: 1

Tax Lot: 1000

Tax Map: 23-10-16D

for good and valuable consideration below listed, the receipt of which is acknowledged, do hereby grant unto Midstate Electric Cooperative, Inc., an Oregon cooperative corporation (hereinafter called the "Cooperative"), whose post office address is P.O. Box 127, La Pine, Oregon 97739, and to its successors and assigns, the following easement:

An easement of right-of-way 12 feet in width along the north property line, and the right to enter upon the real property of the undersigned described as follows:

Beginning at the Northeast property corner, thence west along the north property line a distance of 70 feet, more or less, containing 0.02 acres.

(over)

<p>EASEMENT BETWEEN <u>Russ Wagnon</u> <u>3 Acorn Drive</u> <u>Tinton Falls, NJ 07724</u> AND <u>Midstate Electric Cooperative, Inc.</u> <u>P.O. Box 127</u> <u>La Pine, Oregon 97739</u></p> <p>After recording return to: <u>Midstate Electric Cooperative, Inc.</u> <u>P.O. Box 127</u> <u>La Pine, Oregon 97739</u></p>	<p>State of Oregon, County of Klamath Recorded 01/24/2003 <u>10:11 a.</u> m. Vol M03 Pg <u>04521-22</u> Linda Smith, County Clerk Fee \$ <u>26<sup>00</sup></u> # of Pgs <u>2</u></p>
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and to lay, construct, operate and maintain an electrical transmission and/or distribution line or system, electrical, cable, telecommunications and other utility facilities on or under the above-described real property and/or in, upon, or under all streets, roads or highways abutting said real property; to inspect and make such repairs, changes, alterations, improvements, removals from, or substitutions and additions to its facilities as Cooperative may from time to time deem advisable, including, by way of example and not by way of limitation, the right to increase or decrease the number of conduits, wires, cables, handholes, manholes, transformers, connection boxes, transformer enclosures, concrete pads, attachments, equipment, accessories and appurtenances thereto desirable in connection therewith, hereinafter referred to as the "facilities"; to cut, trim and control the growth by machinery or otherwise of trees and shrubbery located within the easement, or that may otherwise interfere with or threaten to endanger the operation and maintenance of said line or system (including any control of the growth of other vegetation in the right-of-way which may incidentally or necessarily result from the means of control employed); to keep the easement clear of all buildings, structures or other obstructions; and to license, permit or otherwise agree to the joint use of occupancy of the lines, poles, system or, if any said system is placed underground, of the trench related to underground facilities, by any other person, association or corporation.

The undersigned agree that all poles, wires or other facilities including any main service entrance equipment, installed in, upon or under the above-described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the Cooperative.

The undersigned further covenant that they are the owners of the above-described real property and that the said real property is free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THE TRUE CONSIDERATION FOR THIS GRANT OF EASEMENT IS PROVISION FOR ELECTRIC SERVICE.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

WITNESS THE HAND OF SAID GRANTOR(S) on this 30 day of December, 2002

Ronald Wagon  
Grantor

\_\_\_\_\_  
Grantor

New Jersey  
STATE OF ~~OREGON~~, County of Muskegon ss.

The foregoing instrument was acknowledged before me this  
30 day of December, 2002

by Diana Licata

Diana Licata  
Notary Public for ~~Oregon~~ New Jersey

My Commission expires:

**DIANA LICATA**  
Notary Public, State of New Jersey  
My Commission Expires Aug. 16, 2006

STATE OF OREGON; County of \_\_\_\_\_ ss.

The foregoing instrument was acknowledged before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

by \_\_\_\_\_

\_\_\_\_\_  
Notary Public for Oregon

My Commission expires: \_\_\_\_\_