

Return to:

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Cost Center #10764

State of Oregon, County of Klamath

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Vol M03 Pg 08236-39

Linda Smith, County Clerk

Fee \$ 36.60 # of Pgs 4

RIGHT OF WAY EASEMENT

For value received, Thomas E. Stephens, ("Grantor"), hereby grants to Pacificorp, an Oregon Corporation, it's successors and assigns, ("Grantee") an easement for a right of way 62 ½ feet on each side of centerline of the existing transmission line as now located on the below described real property and 800.02 feet, more or less, in length for the, reconstruction, operation, maintenance, repair and removal of electric transmission line and all necessary or desirable accessories and appurtenances thereto, 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 and B attached hereto and by this reference made part hereof:

A tract of land situated in the S ½ of the SW ¼ of Section 11, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon more particularly described as follows:

Beginning at an iron pin on the Northwest corner of the SW ¼ of the SW ¼ of said Section 11; Thence North 89° 31 ½ ' East along the North line of the S ½ SW ¼ of said Section 11 a distance of 1960.00 feet to an iron pin; thence South 01°04 ¼' East parallel with the West line of said Section 11 a distance of 800.00 feet to an iron pin; thence South 89°31 ½' West parallel with the North line of the S ½ SW ¼ of said Section 11; thence North 01°04 ¼' West along the West line of said Section 11 a distance of 800.00 feet, more or less, to the point of beginning.

SAVING AND EXCEPTING the following described tract:

Beginning at the Northeast corner of the above described tract: thence South $01^{\circ}04' \frac{1}{4}$ ' along the Ease line of said above tract a distance of 378 feet; thence South $89^{\circ}31' \frac{1}{2}$ ' West a distance of 244 feet more or less, to the center line of the Creek; thence Northerly along said center line to the North line of the said above described tract; thence North $89^{\circ}31' \frac{1}{2}$ ' East along the North line of said tract a distance of 234 feet more or less, to the point of beginning.

EXCEPTING THEREFROM a tract of land situated in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, township 43 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin on the Northwest corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 11, thence South $89^{\circ}28'19''$ East along the North line of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 11 a distance of 55.00 feet to an iron pin; thence South $00^{\circ}37'36''$ East parallel with the West line of said Section 11 a distance of 800.02 feet to an iron pin; thence North $89^{\circ}28'12''$ West s distance of 550.00 feet to an iron pin on the West line of said Section 11; thence North $00^{\circ}37'36''$ West along the West line of said Section 11 a distance of 800.00 feet more or less to the point of beginning. Bearings based on map of Minor Land Partition 1-84 as filed in the office of the County Clerk of Klamath County, Oregon.

Assessor's Map No. 34 07 11 Tax Parcel No. 1400

Together with the right of access to the right of way from the South through the gate installed in the fence on the South border of the above mentioned property traveling on the easement on the

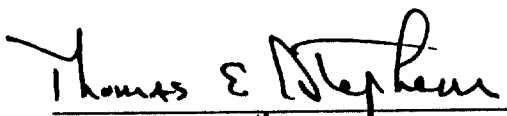
property to but not crossing the North Fork of Larkin Creek. Then enter the easement through the gate on the easement on the North property line and travel South to the N. Fork of Larkin Creek but do not cross the creek for all activities in connection with the purposes for which this easement has been 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, danger trees outside the boundaries of the right of way which endanger the line, 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 the Grantee, with the purposes for which the easement was granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

Together with the right of access to the right of way from adjacent lands of the Grantor

DATED this 28 day of January, 2003.



Grantor(s) Thomas E. Stephens

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Florida)

SS.

County of Palm Beach)

This instrument was acknowledged before me on this

28th day of January, 2003,By Thomas B. Stephens.

_____.

Notary Public

*Maria T. Muraca*My commission expires 12/21/04.

Maria T. Muraca
MY COMMISSION # CC905773 EXPIRES
December 21, 2004
BONDED THRU TROY FAIR INSURANCE, INC.