

Return to: ^{pk} Pacific Power
1950 Mallard Ln
Klamath Falls, OR 97601

CC#: 11176 WO#: 02241627

'03 JUN 9 PM2:32

RIGHT OF WAY EASEMENT

Vol M03 Page 39219

For value received, Edward R. Biggs & Kathleen M. Biggs, ("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 1186 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power 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, more particularly described as follows and as more particularly described and/or shown on Exhibit(s) A & B attached hereto and by this reference made a part hereof.

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 23 day of April, 2003

Edward R. Biggs
Grantor(s) Edward R. Biggs

Kathleen M. Biggs
Grantor(s) Kathleen M. Biggs

State of Oregon, County of Klamath
Recorded 06/09/2003 2:32 p. m.
Vol M03 Pg 39219-22
Linda Smith, County Clerk
Fee \$ 36.00 # of Pgs 4

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oregon)
County of Klamath)
ss.

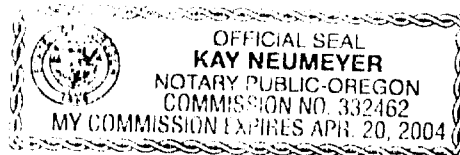
This instrument was acknowledged before me on this 23 day of April, 2003, by

Edward R. Biggs & Kathleen M. Biggs

Kay Neumeier

Notary Public

My commission expires: April 20, 2004



Until a change is requested, all tax statements shall be sent to the following address: Dept of Veterans Affairs

39220

Salem, OR

K-32583

WARRANTY DEED

Vol. 8 Page 1503

GEORGE E. BROWNING, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto EDWARD R. BIGGS and KATHLEEN M. BIGGS, husband and wife, hereinafter referred to as Grantees, their heirs, successors and assigns, that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows:

The NE 1/4 of Section 10, Township 41 South, Range 12 East of the Willamette Meridian. EXCEPTING THEREFROM that portion lying within the right of way of North Malin Road.

SUBJECT TO: (1) The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax may be levied for the years since October 5, 1968, in which the land was subject to the special land use assessment. Buyer herein shall be responsible for any such additional tax levy.

(2) Acreage and use limitations under provisions of United States Statutes and regulations issued thereunder.

(3) Liens and assessments of Klamath Project and Malin Irrigation District, and regulations, easements, water and irrigation rights in connection therewith.

(4) Rights of the public in and to any portion of the herein described property lying within the boundaries of public roads or highways.

(5) Agreement for right of way, including the terms and provisions thereof, given by J. R. Steele and Mildred L. Steele, and R. W. Steele and Helen J. Steele, to The California Oregon Power Company, a California corporation, dated June 27, 1944, recorded July 5, 1944, in Deed Volume 166 page 515, Records of Klamath County, Oregon.

(6) Grant of Right of Way for transmission line, including the terms and provisions thereof, given by J. Walter Browning, Edith B. Browning and George E. Browning to The California Oregon Power Company, a California corporation, dated August 15, 1946, recorded September 13, 1946, in Deed Volume 195 page 362, Records of Klamath County, Oregon.

to have and to hold the same unto Grantees, their heirs, successors and assigns forever.

Grantor hereby covenants to and with said Grantees, their heirs, successors and assigns, that he is lawfully seized in fee simple of the above-granted premises, free and clear of all encumbrances except those noted above, and that Grantor will warrant and forever defend the above-granted premises and every part and parcel thereof against the lawful claims and demands of all persons whom-

WARRANTY DEED (1)

This drawing is preliminary and should be used only as a representative location of the easement being created. The exact location of all structures and appurtenances is subject to a final survey.

EXHIBIT A

soever, except those claiming under the above-described encumbrances.

39221

The true and actual consideration paid for this transfer is \$130,000.00.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 21 day of April, 1980.

George E. Browning
George E. Browning

STATE OF OREGON

County of Klamath

} ss.

Before me this 21 day of April, 1980, personally appeared the above-named GEORGE E. BROWNING and acknowledged the foregoing instrument to be his voluntary act and deed.

(S E A L)

Notary Public for Oregon
My Commission Expires 8-5-83

Return to Mr. and Mrs. Edward R. Biggs
P.O. Box 307
Malin, OR 97632

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Title Co.on the 22nd day of April A. D. 1980 at 10:16 o'clock A. M.and duly recorded in Vol. 180, of Deeds on Page 7503

W. D. MILNE, County Clerk

Fee \$7.00

EXHIBIT A

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.

WARRANTY DEED (2)

4	3
9	10



~~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.~~