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## EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, **Charles E/Judith A DeFoe** the record owner(s) of the real property located in Klamath County, State of Oregon, more particularly described as:

Portion: SW1/4 SW1/4

Section: 7, Township: 24 South, Range: 7 East, Willamette Meridian

Tax Lot: 1500

Tax Map: 24-07-07C

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:

A 30 foot easement to install, modify and maintain **electrical facilities** 15 feet each side of centerline:

Commencing at the South ¼ Corner of Section 7, thence North 89°49'33" West a distance of 1320.03 feet to the Southeast property corner, thence North 0° West a distance of 15 feet, more or less, to a point on the East property line, said point being the True Point of Beginning of the easement being described herein, thence North 89°49'33" West a distance of 600 feet, more or less, thence North 80° West a distance of 650 feet, more or less to a point, said point being terminus of the above described easement, containing 0.86 acres, more or less;

(over)

<p><b>EASEMENT</b> BETWEEN</p> <p><u>Charles E. DeFoe Jr and Judith A. McGee DeFoe</u> <u>Charles E/Judith A DeFoe</u> <u>12455 SW 68<sup>th</sup> Ave</u> <u>Portland OR 97223</u></p> <p>AND</p> <p><u>Midstate Electric Cooperative, Inc.</u> <u>P.O. Box 127</u> <u>La Pine, Oregon 97739</u></p> <p>After recording return to:</p> <p><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 _____ ss.</p> <p>I certify that the within instrument was received for record on the ____ day of _____, 20____, at o'clock ____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____ Record of _____ of said county.</p> <p>Witness my hand and seal of County affixed.</p> <p>_____ Name Title</p> <p>By _____, Deputy</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:

Charles E. DeFoe Jr.  
Judith A. McGee DeFoe

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 1 day of October, 2003

Charles E. DeFoe Jr.  
 Grantor

Judith A. McGee DeFoe  
 Grantor

WITNESS THE HAND OF SAID GRANTOR(S)  
 on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
 Grantor

\_\_\_\_\_  
 Grantor

STATE OF OREGON; County of Washington ss.

The foregoing instrument was acknowledged before me  
 this 15 day of October, 2003

by Charles E. DeFoe Jr. & Judith A. McGee DeFoe by \_\_\_\_\_

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

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

by \_\_\_\_\_

Danita M. Wampole  
 Notary Public for Oregon  
 My Commission expires: 12/20/05

Notary Public for Oregon  
 My Commission expires:

