

08/04/2003

02:58  
08.01HORIZONS+HOME+CENTER → 16087556143  
3013431122NO. 293 D03  
PAGE 02

82016

Vol M03 Page  
CC#: 11176 WO#: 02225463Return to: Pacific Power  
1950 Mallard Ln.  
Klamath Falls, OR. 97601**RIGHT OF WAY EASEMENT**

03 NOV 4 PM 12:23

For value received, DAVID CLEM AND KIM CLEM, ("Grantor"), hereby grants to PacificCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 10 feet in width and 170 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: 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, and C attached hereto and by this reference made a part hereof:

Said property generally located in the NE of NW ¼ of Section 23, Township 38S, Range 11E., of the Willamette (OR) Meridian, and more specifically described in Volume M02 Page 18933 in the Official Records of Klamath County.

Tax Parcel No. 1200

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 fire, 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 7 day of AUGUST, 2003.

David Clem  
Grantor(s) David Clem

Kim Clem  
Grantor(s) Kim Clem

**INDIVIDUAL ACKNOWLEDGMENT**STATE OF MissouriCounty of BuchananThis instrument was acknowledged before me on this 8th day of August, 2003, by:

Shawn Kobze  
Notary Public

My commission expires: 07-10-2006

State of Oregon, County of Klamath  
Recorded 11/04/03 12:23 p. m  
Vol M03 Pg 82016-18  
Linda Smith, County Clerk  
Fee \$ 3.00 # of Pgs 3

SHAWN KOBZEJ  
Notary Public-Notary Seal  
State of Missouri  
Buchanan County  
My Commission Expires Jul 10, 2006



After recording return to:

David and Kim Clem  
P.O. Box 947  
Medford, OR 97534

Until a change is requested all tax statements  
 shall be sent to the following address:

as above.

Escrow No. K582185

Title No. K58128-S

THIS SPACE RESERVED FOR RECORDER'S USE

Vol M02 Page 18933

State of Oregon, County of Klamath  
 Recorded 03/29/2002 3:22 P. M.  
 Vol M02, Pg 18933  
 Linda Smith, County Clerk  
 Fee \$ 21.00 # of Pgs 1

'02 MAR 29 PM 3:22

### STATUTORY WARRANTY DEED

Hubert P. Bentley and Joan G. Bentley, as tenants by the entirety, Grantor, conveys and warrants to David Clem and Kim Clem, as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Lots 10 and 11, Block 53, Klamath Falls Forest Estates, Highway 66 Unit, Plat No. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

This property is free of liens and encumbrances, EXCEPT: Reservations and restrictions of record, rights of way, and easements of record and those apparent upon the land, contracts and/or liens for irrigation and/or drainage.

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 FEE 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.

The true consideration for this conveyance is \$16,000.00 (Please comply with the requirements of ORS 93.830)

Dated this 29 day of MARCH, 2002.

Hubert P. Bentley  
 Hubert P. Bentley

Joan G. Bentley  
 Joan G. Bentley

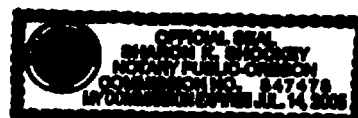
STATE OF OREGON  
 County of Klamath }

This instrument was acknowledged before me on this 29 day of March, 2002  
 by Hubert P. Bentley and Joan G. Bentley

[Signature]  
 Notary Public for Oregon  
 My commission expires: 7-14-2005

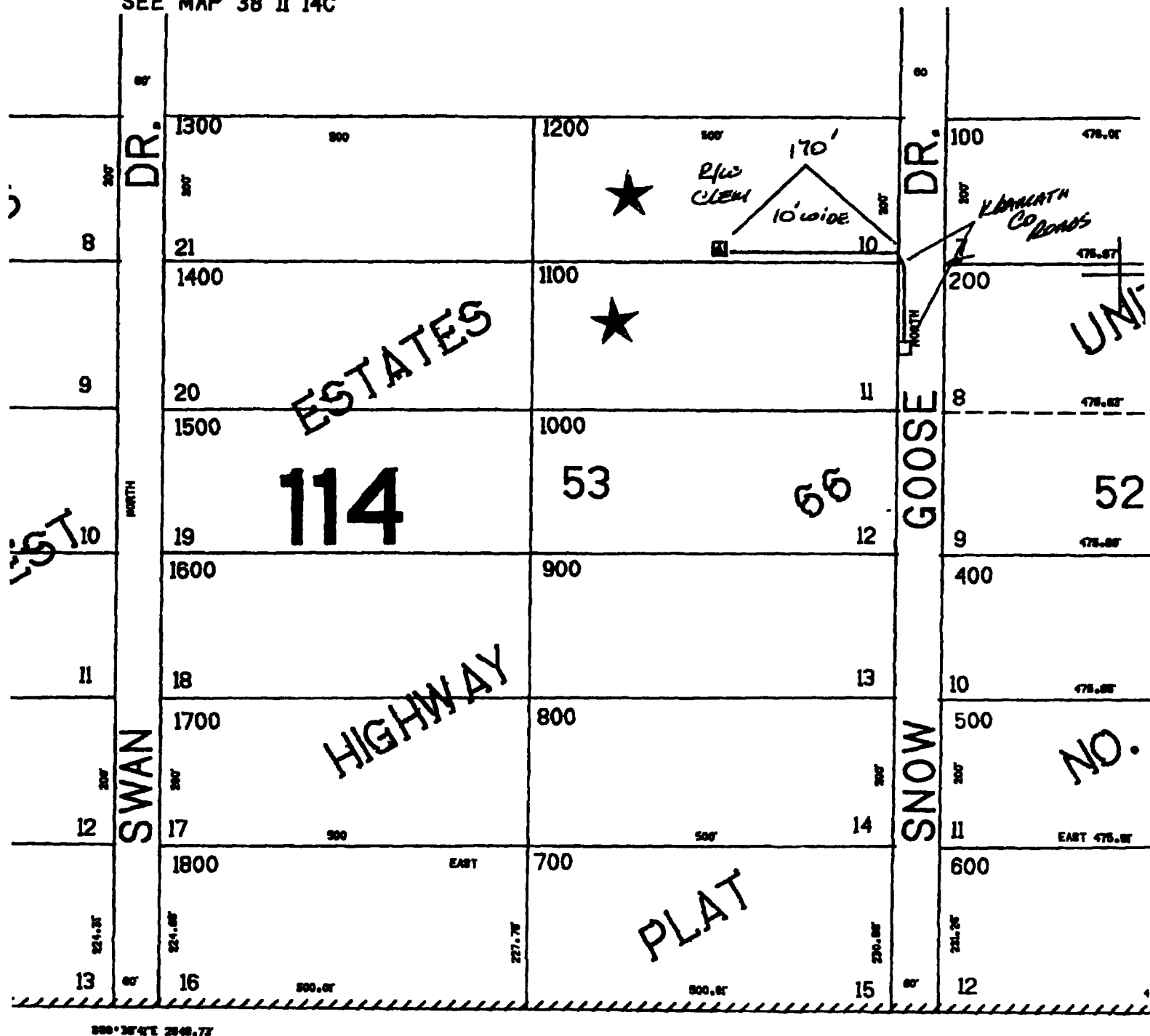
**EXHIBIT A**

K21



82018

SEE MAP 38 11 14C



SEE MAP 38 11

EXHIBIT

EXHIBIT "B"

American Title

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.

THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING CERTAIN PREMISES AND NO LIABILITY IS ASSUMED FOR VARIATIONS IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY