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Return to: Pacific Power
1950 Mallard Lane
Klamath Falls, OR 97601

RECEIVED
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@ 1350

CC#: 11176 WO#: 02222235

RIGHT OF WAY EASEMENT

Vol M04 Page 13994

For value received, Lawrence D. Cheyne, Jr. and Sandra Cheyne, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 10 feet in width and 25 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 attached hereto and by this reference made a part hereof:

Assessor's Map No. R-4009-02800-00700-000

Tax Parcel No. 700

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 27th day of October, 2003.

Lawrence D. Cheyne, Jr.
Grantor(s) Lawrence D. Cheyne, Jr.

Sandra Cheyne
Grantor(s) Sandra Cheyne

NA
Grantor(s)

NA
Grantor(s)

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oregon)
ss.
County of Klamath)

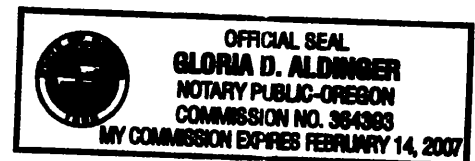
State of Oregon, County of Klamath
Recorded 03/11/2004 1:12 P m
Vol M04 Pg 13994-98
Linda Smith, County Clerk
Fee \$ 41.00 # of Pgs 5

This instrument was acknowledged before me on this 27th day of October, 2003, by
Lawrence D. Cheyne, Jr. and Sandra Cheyne

Gloria D. Aldinger

Notary Public

My commission expires: Feb 14, 2007



411

65287 Vol. 101 P. 507

EXECUTOR'S DEED.

THIS INDENTURE, Made this 10th day of January, 1944, by and between ARNOLD G. MOTSCHENBACHER, the duly appointed, qualified and acting Executor of the Last Will and Testament of Michael Motschenbacher, deceased, late of the County of Klamath, State of Oregon, the Party of the First Part, and AUGUST ANDRIEU and MARIE C. ANDRIEU, his wife, the Parties of the Second Part;

WITNESSETH:

THAT WHEREAS, the undersigned, Arnold G. Motschenbacher, is the duly appointed, qualified and acting Executor of the Last Will and Testament of Michael Motschenbacher, deceased, and under and by the terms of said Last Will and Testament the said Executor is empowered with authority to sell any or all of the property of said Estate without order of Court and in any manner that said Executor may deem for the best interests of said Estate and to execute proper conveyance therefor;

AND WHEREAS, Pursuant to the terms of said Last Will and Testament the said Party of the First Part on the 4th day of September, 1943, sold to the said August Andrieu and Marie C. Andrieu, all of the real property hereinafter described, for the sum of \$30,000.00, they being the highest and best bidders and the only bidders for the purchase of said real property, and the said Parties of the Second Part having now paid the full purchase price of \$30,000.00 unto the Party of the First Part;

AND WHEREAS, The Judge of the Circuit Court of the State of Oregon, for Klamath County, upon due and legal return made by said Party of the First Part, did on the 4th day of January, 1944, make an order confirming said sale and directing conveyance to be made to said

EXHIBIT A

purchasers, which said order of confirmation is entered in Volume No. 18 of the Journal of said circuit Court, on Page 503 thereof;

NOW, THEREFORE, The said Party of the First Part pursuant to the order last aforesaid, and for and in consideration of the sum of \$30,000.00 to him in hand paid by said Parties of the Second Part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Parties of the Second Part, their heirs and assigns forever, all of the right, title, interest and estate of the said Michael Motschenbacher, deceased, at the time of his death, and all the right, title, and interest that the said estate by operation of law or otherwise, may have acquired other than, or in addition to, that of said testate at the time of his death in and to that certain lot, piece or parcel of land, situate, lying and being in the County of Klamath, State of Oregon, and described as follows, to-wit:

Lots One, Six, Seven, Eight, Southwest Quarter of Northwest Quarter, and Southwest Quarter of Section 28; Northwest Quarter, and all of the South Half of Section 29; East Half of Northeast Quarter and that portion of West Half of Northeast Quarter lying easterly from the Klamath Straits, in Section 30; all in Township 40 South of Range 9 East of the Willamette Meridian;

Subject to:

(1) All County roads and easements of record against said property or visible upon the premises;

(2) All contracts and proceedings for the irrigation and drainage of said lands;

(3) Second Half 1943-44 State and County taxes and drainage district assessments and all future State and County taxes and drainage district assessments which Second Parties assume;

together with the tenements, hereditaments and appurtenances whatsoever thereunto belonging or in anywise appertaining, and

together with all water rights appurtenant or to become appurtenant thereto.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the said Parties of the Second Part, their heirs and assigns, to them and their sole use, benefit and behoof forever.

IN WITNESS WHEREOF, The said Party of the First Part has hereunto set his hand and seal the day and year first above written.

Executed in the Presence of

Arnold G. Motschenbacher
Executor of the Last Will and Testament of Michael Motschenbacher Deceased.

WILSON

STATE OF OREGON,

County of Klamath.

ss.

THIS CERTIFIES That on this 10th day of January 1944, before me, a Notary Public in and for said County and State, personally appeared the within-named ARNOLD G. MOTSCHENBACHER, who is known to me to be the person described in and who executed the foregoing Deed as the Executor of the Last Will and Testament of Michael Motschenbacher, Deceased, and acknowledged to me that he as the Executor of said Last will and Testament, executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial seal the day and year last above written.

Fred D. Fletcher
Notary Public for Oregon,
My Commission Expires June 1, 1947.

Page 3-EXECUTOR'S DEED.

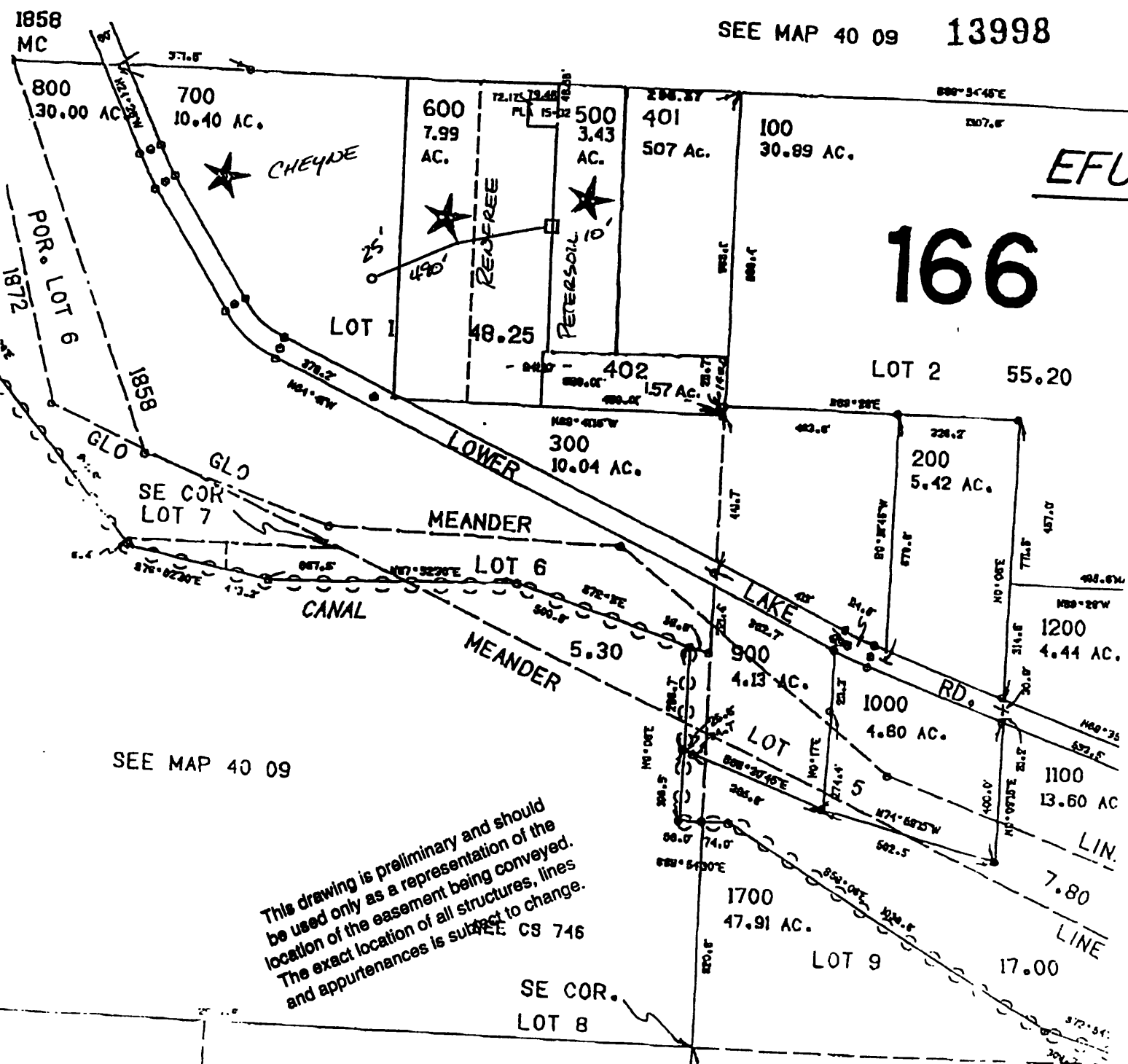
FROM THE OFFICE OF
FRED D. FLETCHER
ATTORNEY AT LAW
KLAMATH FALLS, OREGON
WILSON TITLE & ABSTRACT CO.

SEE MAP 40 09

13998

EFU

166



SEE MAP 40 09

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.

SE COR.
LOT 8

SEE KLAMATH DRAINAGE DISTRICT MAPS

EXHIBIT "B"

8

AmeriTitle

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

