

04 MAR 11 PM 1:12

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

CC: 11176 WO: 02323139

RIGHT OF WAY EASEMENT

Vol M04 Page 14006

For value received, LAKEWOODS DEVELOPMENT LLC, ("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 15 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, 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, as more particularly described and/or shown on Exhibit(s) "A" & "B" attached hereto and by this reference made a part hereof:

Situated in a portion of the Section 5 Township 38S, Range 5E, of the Willamette (OR) Meridian, and more specifically described in Volume M01 Page 36834 in the Official Records of Klamath County.

Assessor's Map No. R-3805-005AO-04900-000 Tax Parcel No. 4900

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 8<sup>th</sup> day of December, 2003.

LAKEWOODS DEVELOPMENT LLC

BY: [Signature]

(President)

Attest: \_\_\_\_\_  
(Secretary)

State of Oregon, County of Klamath  
Recorded 03/11/2004 1:12 pm  
Vol M04 Pg 14006-09  
Linda Smith, County Clerk  
Fec \$ 36<sup>00</sup> # of Pgs 4

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF Oregon  
County of Jackson

ss.

This instrument was acknowledged before me on this 8 day of December, 2003, by  
David Hammonds, as president of Lakewoods Development LLC

Rachelle Driskell

Notary Public

My commission expires: July 29, 2005



36w

01 JUL 25 PM12:51



# CRATER TITLE INSURANCE

Main Office  
300 West Main • P.O. Box 250  
Medford, Oregon 97501  
(541) 779-7250 • FAX (541) 779-4013

Vol. M01 Page 36834

14007

ORDER # 99312405KW

K54492

## BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That PAYDEX, INC., A Corporation, Grantee(s), in consideration of FOUR HUNDRED THOUSAND DOLLARS AND NO CENTS DOLLARS \$400,000.00, paid by Lakewood Development LLC, Grantee(s), do hereby grant, bargain, sell and convey unto the said Grantee(s), their heirs and assigns all the following real property, with the tenements, improvements and appurtenances, situated in the County of Klamath, and State of Oregon, bounded and described as follows, to-wit:

### SEE ATTACHED EXHIBIT A

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 lawfully against farming or forest practices as defined in ORS 30.930.

To Have and to Hold, the above described and granted premises unto the said Grantee(s), their heirs and assigns forever.

Witness our hands(s) and seal(s) this 11th day of July 2001.

PAYDEX, INC., An Oregon Corporation

Mark A. Neubauer  
By Mark A. Neubauer, State of California Court Appointed Receiver

STATE OF CALIFORNIA

County of Los Angeles

This instrument was acknowledged before me the 11th day of July 2001 by Mark A. Neubauer, State of California Court Appointed Receiver for Paydex, Inc., An Oregon Corporation.

Notary Public for California

My commission expires 3/14/04

Until a change is requested,  
and all tax statements for

1225 Ave "C"  
White City, O. 97150

Return document to:  
Crater Title Insurance  
300 W. Main Street, P.O. Box 250  
Medford, OR 97501

EXHIBIT A

K26 -  
80 NS  
46 -

JUL 11 2001 11:26 AM FR GREENWALD PAULY ETAL 13955961 TO #008622171547964 P.04/05

14008

36835

**EXHIBIT "A"****DESCRIPTION OF PROPERTY**

All Lots and Blocks in Tract 1034, LAKEWOODS SUBDIVISION UNIT NO. 1; All Lots and Blocks in Tract 1051, LAKEWOODS SUBDIVISION UNIT NO. 2; All Lots and Blocks in Tract 1077, LAKEWOODS SUBDIVISION UNIT NO. 3, all according to the official plats thereof on file in the office of the County Clerk of Klamath County, Oregon.

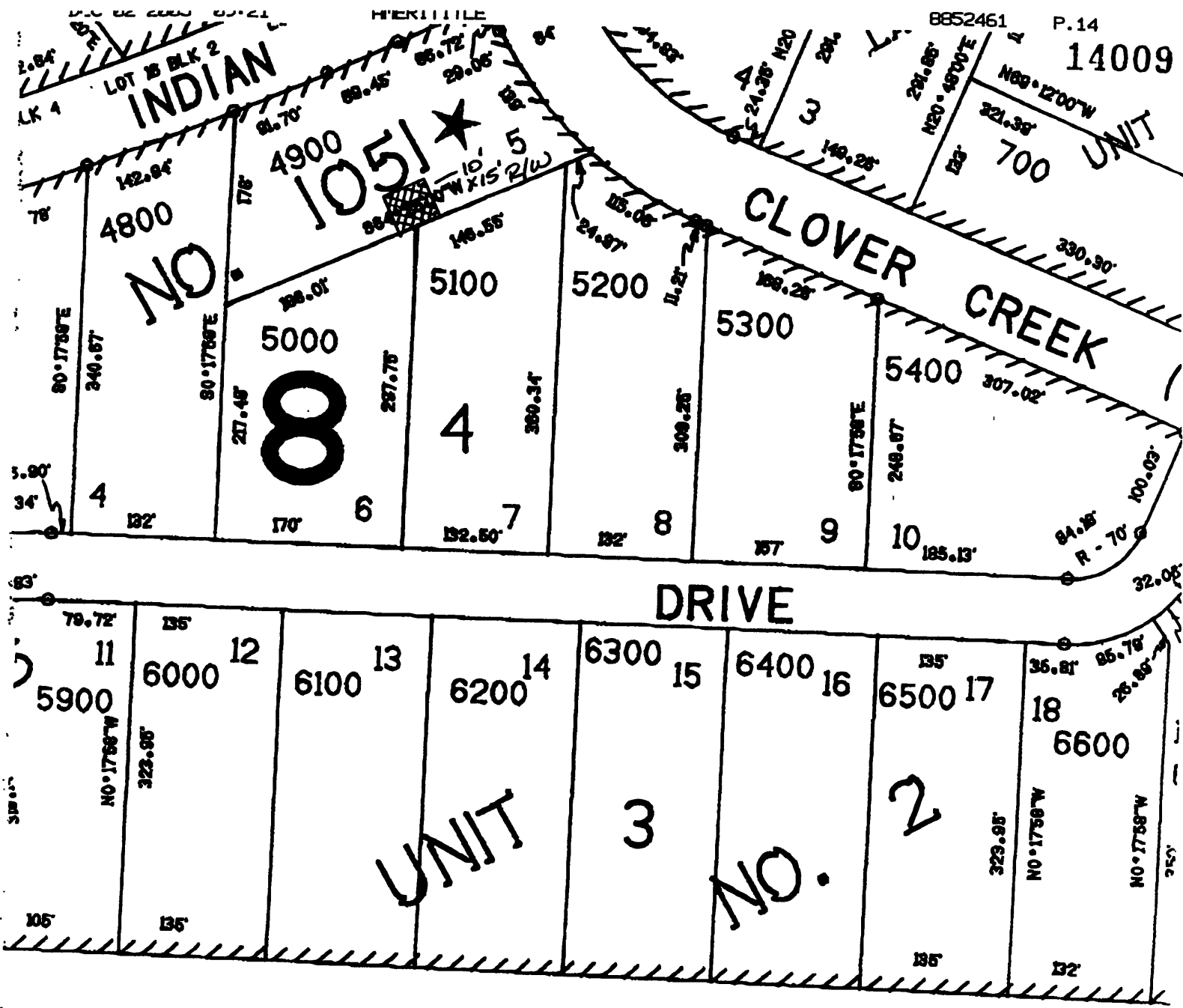
State of Oregon, County of Klamath

Recorded 07/25/01 at 12:51 p.m.

In Vol. M01 Page 36834

Linda Smith,

County Clerk Fee \$ 26<sup>00</sup> 20<sup>00</sup> / 15**EXHIBIT A**



SEE MAP 38 05

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.

# EXHIBIT "B"

**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 BY ACTUAL SURVEY.