

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

CC: 11176 WO: 2287150

**RIGHT OF WAY EASEMENT**

For value received, RABANCO REGIONAL DISPOSAL COMPANY, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 25 feet in width and 870 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 NE 1/4 of SW 1/4 of Section 9, Township 39 S, Range 9 E, of the Willamette (OR) Meridian, and more specifically described in Volume M03 Page 92915 in the Official Records of Klamath County.

Assessor's Map No. R-3909-00900-00700 and 00601 Tax Parcel No. 700 and 601

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 18<sup>TH</sup> day of MARCH, 2004.

RABANCO REGIONAL DISPOSAL COMPANY

BY: [Signature]  
PETE KELLER (Vice President)

Attest:

[Signature]  
PRESIDENT (Secretary)

**REPRESENTATIVE ACKNOWLEDGMENT**

STATE OF Washington  
County of King

This instrument was acknowledged before me on this 18 day of MARCH, 2004, by Veronica A Green, as \_\_\_\_\_ of \_\_\_\_\_.

[Signature]  
Notary Public  
My commission expires: 7/12/04



State of Oregon, County of Klamath  
Recorded 05/26/2004 1:23 p.m.  
Vol M04 Pg 33658-33660  
Linda Smith, County Clerk  
Fee \$ 31.00 # of Pgs 3

31✓

33659

92920

**Exhibit "A"**

Real property in the County of Klamath, State of Oregon, described as follows:

**Parcel One:** A parcel of land situated in the NE 1/4 SW 1/4 of Section 9, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and being a portion of Eweuna Park Subdivision according to the official plat thereof on file in the office of the Klamath County Clerk, more particularly described as follows:

Beginning at a point on the Easterly right of Way line of Tingley Lane (formerly Manzanita Way), said point being the intersection of said Easterly line with the South right of way line of Birch Street (now vacated of said Eweuna Park Subdivision; thence S. 70°19'42" E. along the South right of way line of said vacated Birch Street, a distance of 191.00 feet to a point; thence N. 19°40'18" E. perpendicular to the said South right of way line, a distance of 50.00 feet to a point on the North right of way line of said vacated Birch Street; thence S. 70°19'42" E. along said North right of way line, a distance of 325.34 feet to a point on the East line of the NE 1/4 SW 1/4 of said Section 9, said point being S. 00°06'02" W. 561.65 feet from the Northeast corner of said NE 1/4 SW 1/4; thence S. 00°06'02" W. along said East line of the NE 1/4 SW 1/4, a distance of 477.59 feet to the southeast corner of Lot 1, Block 20 of said Eweuna Park Subdivision; thence N. 70°19'42" W., along the southerly lines of the following Lots; Lot 1 of Block 20, Lots 10 and 17 of Block 18 and Lots 8, 9, and 10 of Block 15, a distance of 676.32 feet to the Southwest corner of said Lot 8; thence N. 19°40'18" E. along the West line of Block 15 a distance of 400.00 feet to the Point of Beginning; containing 5.94 acres more or less.

**Parcel Two:** A parcel of land situated in the SE 1/4 of Section 9, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

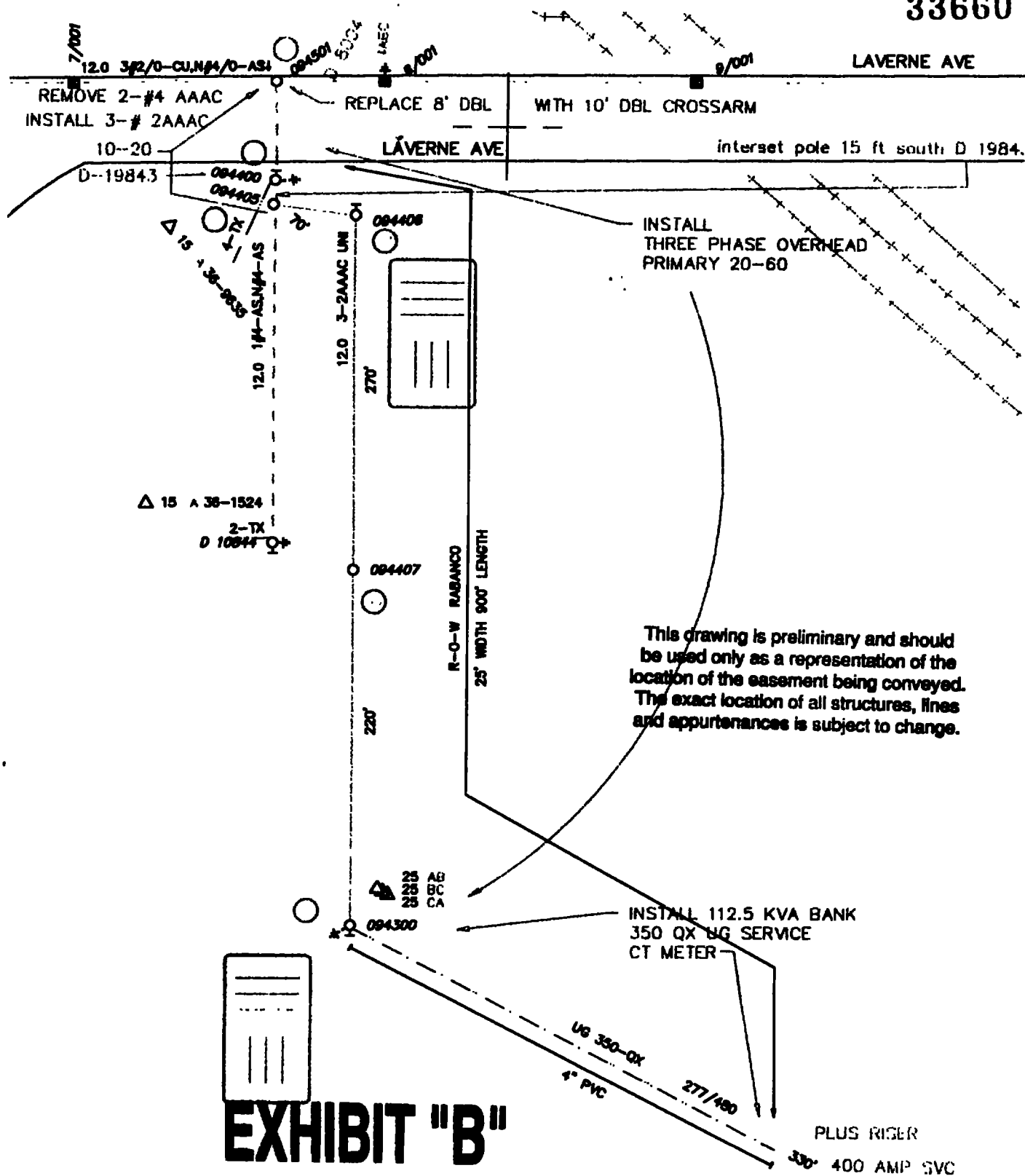
Beginning at a point on the West line of said SE 1/4 of Section 9, said point being S. 00°06'02" W. 30.00 feet from the Northwest corner of said SE 1/4; thence S. 89°13'13" E. along the South right of way line of LeVerne Avenue, a distance of 60.00 feet to the Westerly right of way line of the Burlington Northern & Santa Fe Railway Co. (formerly Great Northern Railway Co.); thence S. 00°06'02" W. 189.04 feet along said Westerly right of way line; thence S. 47°23'24" E., 1413.45 feet along said Westerly right of way line; thence S. 42°36'36" W. perpendicular to said Westerly right of way line, a distance of 207.80 feet; thence N. 48°25'27" W. 299.92 feet; thence N. 60°58'37" W., 600.45 feet; thence N. 87°57'55" W., 211.38 feet to a point on the West line of said SE 1/4 of Section 9; thence N. 00°06'02" E. along the said West line, a distance of 801.85 feet to the Point of Beginning; containing 9.58 acres more or less.

Also know as Parcel 1 of Land Partition 10-03, situate in SE 1/4 of Section 9, Township 39 South, Range 9 East of the Willamette Meridian.

Tax Parcel Number:

# EXHIBIT A

33660

**EXHIBIT "B"**

Foreman		Emp #	Job Start Date		  1 OF 1
CC# 11176	WO# / REQ# 002287150	Map String 01439009.0	Job Comp Date		
CUSTOMER : REGIONAL DISPOSAL ADDRESS : LAVERNE AVE KLAMATH FALLS			Circuit 5L33	Post Jobs <input type="checkbox"/> RQM <input type="checkbox"/> Posted <input type="checkbox"/>	EST ID# 60177
				Print Date 11/13/03	Scale 1=100'