

Return to: Pacific Power
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

CC#: 11176 WO#: 02327374

Vol M04 Page 33668RIGHT OF WAY EASEMENT

For value received, JOHN THOMAS AND LOIS STILWELL, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 20 feet in width and 680' 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, 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:

SW 1/4 OF SE 1/4 SECT 32, T 40 S, R 10 E, W 1/2

Assessor's Map No. M96-20472

Tax Parcel No. R-4010-03200-00900-000

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 day of Sept, 2003.

John Thomas Stilwell
JOHN THOMAS STILWELL

Lois Stilwell
LOIS STILWELL

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OregonCounty of Klamath

ss.

This instrument was acknowledged before me on this 18 day of
September, 2003, by _____.

State of Oregon, County of Klamath
Recorded 05/26/2004 1:23 p m
Vol M04 Pg 33668-33672
Linda Smith, County Clerk
Fee \$ 41.00 # of Pgs 5

Linda Duncan
Notary Public

My commission expires July 31, 2007

33669

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96 JUL 10 P1:41

EXHIBIT A

OREGON
DEPARTMENT OF
VETERANS' AFFAIRS

(Reserved for Recording Purposes)

SPECIAL WARRANTY DEED

Account Number
C22026

County Tax Account Number
OR99869 and OR99896 and OR99878

The STATE OF OREGON, by and through the Director of the Oregon Department of Veterans' Affairs, grantor, conveys and specially warrants unto John Thomas Stilwell and Lois Ann Stilwell, husband and wife, grantee(s), the following-described real property free of encumbrances created or suffered by the grantor on or before September 1, 1989, except as specifically set forth herein situated at 10520 Buesing Road, Klamath Falls, Oregon 97601 in Klamath County, State of Oregon, to wit:

A parcel of land situated in the SE1/4 of Section 32, Township 40 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Commencing at the Northwest corner of the SE1/4 of said Section 32; thence South, 37.25 feet; thence East, 49.05 feet to a fence corner marking the point of beginning for this description said fence corner being 30.00 feet South of the centerline of a county road as the same is constructed and currently exists; thence North 89°21'49" East parallel to but 30.00 feet Southerly of said existing road centerline a distance of 1302.63 feet to a 5/8 inch iron pin; thence South 01°21'27" East along an existing fence a distance of 782.61 feet to a 5/8 inch iron pin; thence leaving said fence West, 1003.68 feet to a 5/8 inch iron pin in an existing fence; thence following said fence Northerly the following courses and distances: North 01°32'22" East, 74.82 feet to a 1/2 inch iron pin; thence 04°23'18" West, 173.69 feet to a 1/2 inch iron pin; North 25°10'42" West, 235.59 feet to a 1/2 inch iron pin; North 55°52'12" West, 236.64 feet to a 1/2 inch iron pin; North 28°03'05" West, 56.20 feet to a 1/2 inch iron pin; North 07°31'04" East, 125.43 feet to the point of beginning.

The true and actual consideration for this conveyance is \$150,101.00.

AFTER RECORDING RETURN TO:

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

KLAMATH COUNTY TITLE
PO BOX 151
KLAMATH FALLS, OR 97601

JOHN T. STILWELL
8000 RHODE ISLAND CIRCLE
BLOOMINGTON, MN 55438

33670 20473

SPECIAL WARRANTY DEED (Continued)

Account Number C22026	County Tax Assessor Number OR99869 and OR99896 and OR99878
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EXHIBIT A**LEGAL DESCRIPTION (continued)**

The NE1/4SE1/4 and the W1/2W1/2SE1/4SE1/4 of Section 32, Township 40 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

Together with the following equipment located on the above property: (1) One Hollowshaft turbine - 40 hp; (2) 3-phase motor, Serial No. H1017897, Frame No. A364UP; (3) Vertiline (Layne and Bower) pump, 1770 rpm, Serial No. D17332, Model No. 10RH.

Also, together with Water Rights Certificate No. 38346.

Excepting and reserving to itself, its successors and assigns all minerals, as defined in ORS 273.775, (INCLUDING soil, clay, stone, sand, and gravel), and all geothermal resources, as defined in ORS 522.005 together with the right to make such use of the surface as may be reasonably necessary for exploring for, mining, extracting, storing, drilling for, and removing such minerals, materials, and geothermal resources. In the event the premises by a surface rights' owner would be damaged by one or more of the activities described above, then such owner shall be entitled to compensation from the State's lessee to the extent of the diminution in value of the real property, based on the actual use by the surface rights' owner at the time the State's lessee conducts any of the above activities.

SUBJECT TO:

1. Any taxes for 1996-97 when due or payable.
2. Any Right of Redemption as Provided by Law.
3. Rights of the public in and to any portion of said premises lying within the limits of roads and highways.
4. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.
5. Easement, including the terms and provisions thereof: in favor of Pacific Power & Light Company; dated October 8, 1980; recorded October 8, 1980, Book M-80 Page 19528 (Affects the SE 1/4 SE 1/4 and SW 1/4 SE 1/4 Sec. 32).
6. Easement, including the terms and provisions thereof, as disclosed by Warranty Deed: recorded June 5, 1981, Book M-81 Page 10082; over East 12.5 feet of NE 1/4 SE 1/4 Sec. 32.

TO HAVE AND TO HOLD said real property unto said grantee(s), their heirs and assigns forever.

"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."

33671 20474

SPECIAL WARRANTY DEED (Continued)

Account Number C22026	County Tax Account Number OR95869 and OR99896 and OR99878
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IN WITNESS WHEREOF, the Director of the Oregon Department of Veterans' Affairs has caused these presents to be executed this July 8, 1996. The foregoing recital of consideration is true as I verily believe.

Director of Oregon Department of Veterans' Affairs

By Curt R. Schnepf
Curt R. Schnepf
Manager, Accounts Services

STATE OF OREGON

County of Marion

} ss.

On July 8, 1996

this instrument was acknowledged before me by the above-named Curt R. Schnepf, who personally appeared, and, being first duly sworn, did say that he is duly authorized to sign the foregoing document on behalf of the Oregon Department of Veterans' Affairs by authority of its Director.

Before me:

[Signature]
Notary Public For Oregon



EXHIBIT A

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title the 10th day
of July A.D. 19 96 at 1:41 o'clock P. M., and duly recorded in Vol. M96
of Deeds on Page 20472

WEEK 140-00

By Bonnie G. Letch County Clerk
[Signature]

33672

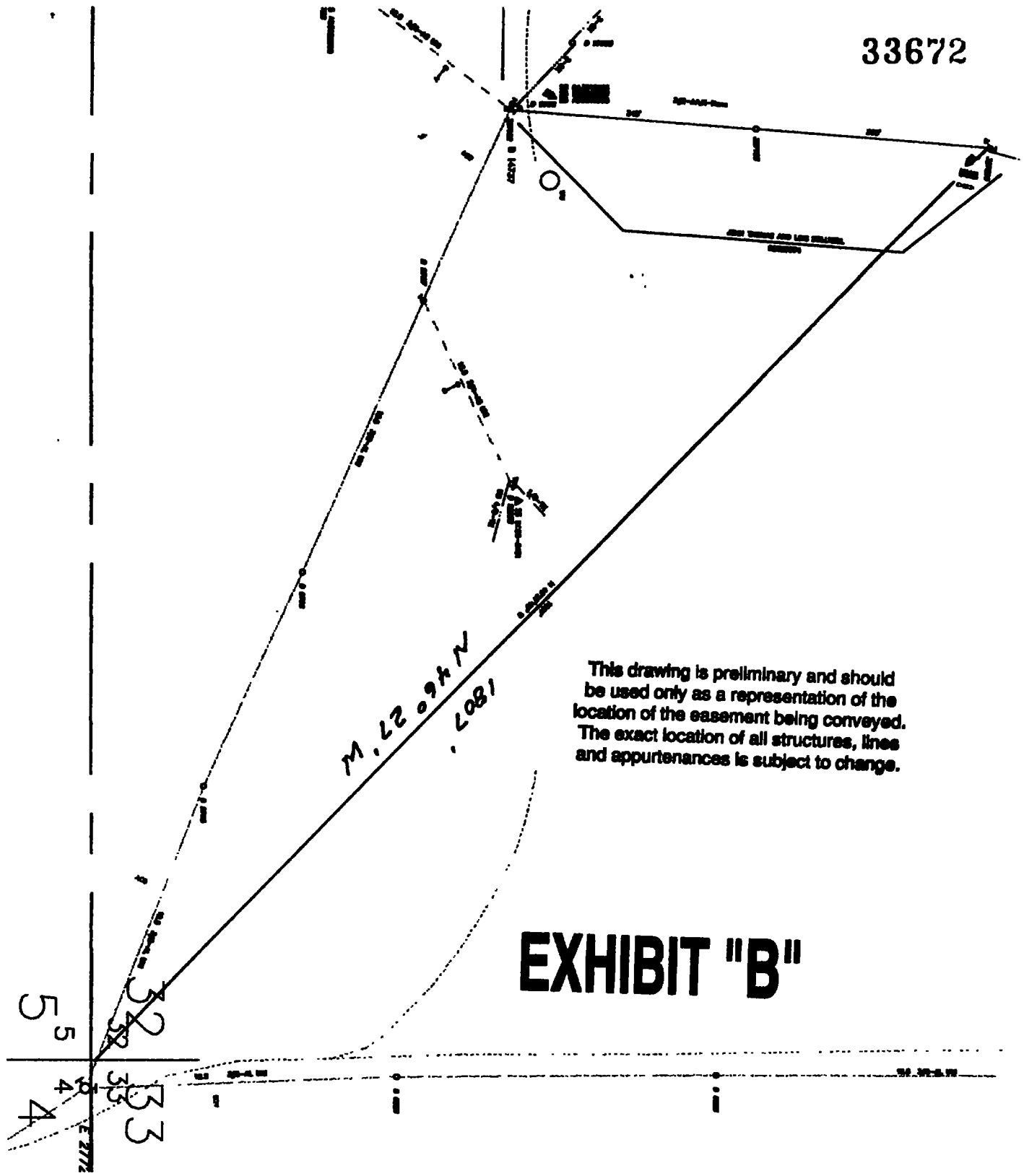



EXHIBIT "B"

Foreman		Emp #	Job Start Date		
CC# 11176	WO# / REQ# 002327374	Map String 01440010.0	Job Comp Date		
CUSTOMER : JOHN STILLWELL ADDRESS : BUESING RD KLAMATH FALLS			Circuit 5L27	Post Jobs <input type="checkbox"/> RQM <input type="checkbox"/> Posted <input type="checkbox"/>	EST ID# 60177 Print Date 09/16/03 Scale 1=200'