

04 OCT 4 AM 10:12

Vol M04 Page 66760

RECORDING REQUESTED BY:

GRANTOR: Leonard F. Smith

GRANTOR: Lori A. Smith

State of Oregon, County of Klamath

Recorded 10/04/04 10:12 a m

Vol M04 Pg 66760-65

Linda Smith, County Clerk

Fee \$ 4600 # of Pgs 6

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER

1950 MALLARD LANE

KLAMATH FALLS, OR 97601

RIGHT OF WAY EASEMENT

4/6 ✓

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

66761

CC#: 11176 WO#: 02424913

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, Leonard F. Smith and Lori A. Smith ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a non-exclusive easement for a right of way 10 feet in width and 220 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of an underground electric distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, vaults on, across, 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 attached hereto and by this reference made a part hereof:

Said property generally located in the NE of SW 1/4 of Section 29, Township 37S, Range 09 of the Willamette Meridian, and more specifically described in Volume M03 Page 54635 in the official records of Klamath County

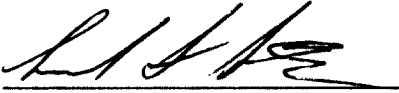
Assessor's Map No. 3709-02900-00800-090 Tax Parcel No. 800

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 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, 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 12 day of MAY, 2004.

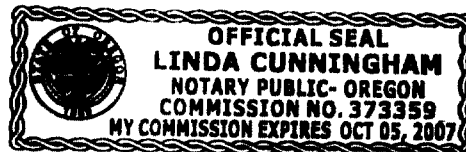

(Grantor)


(Grantor)

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OREGON
County of KLAMATH


SS.



This instrument was acknowledged before me on this 12th day of MAY, 2004, by LEONARD F. Smith & Lori A. Smith.

RECEIVED
MAY 25 2004

BY JFB 10:22.


Notary Public
My commission expires: 10-5-2007

03 JUL 31 PM 3:13



NJC- 61936 TM

66762

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THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

LEONARD F. SMITHPO BOX 5429 97602CENTRAL POINT, OR 97602Klamath Falls, OR 97602

Until a change is requested all

tax statements shall be sent to

The following address:

LEONARD F. SMITHPO BOX 5429 97602CENTRAL POINT, OR 97602Klamath Falls, OR 97602

Escrow No.

MT61936-TM

State of Oregon, County of Klamath
 Recorded 07/31/2003 3:13 P.M.
 Vol M03 Pg 54635-36
 Linda Smith, County Clerk
 Fee \$ 21.00 # of Pgs 2

WARRANTY DEED

STEPHEN W. DUNC and JOAN E. DUNC, as tenants by the entirety, Grantor(s) hereby grant, bargain, sell, warrant and convey to LEONARD F. SMITH and LORI A. SMITH, as tenants by the entirety, Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of KLAMATH and State of Oregon, to wit:

Lot 16, Tract 1318, FLUM VALLEY II, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Account No.: 3709-02900-00000-000

Key No.: 379423

379423

R-3709-02900-00000-000

Grantor is lawfully seized in fee simple on the above granted premises and SUBJECT TO: all those items of record if any, as of the date of this deed and those shown below, if any:

and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration for this conveyance is \$34,000.00.

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.

Dated this 30 day of July, 03.

Stephen W. Dunc
 STEPHEN W. DUNC

Joan E. Dunc
 JOAN E. DUNC

26/4

66763

State of Washington

County of Shelley

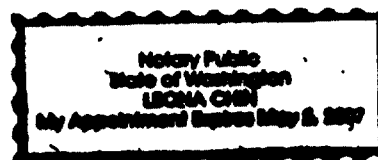
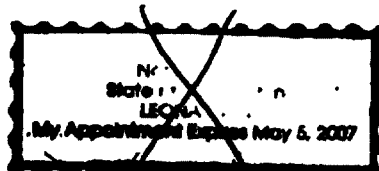
54636

On this day personally appeared before me STEPHEN W. DUNC and JOAN E. DUNC to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand official seal this 20 day of July, 2002.

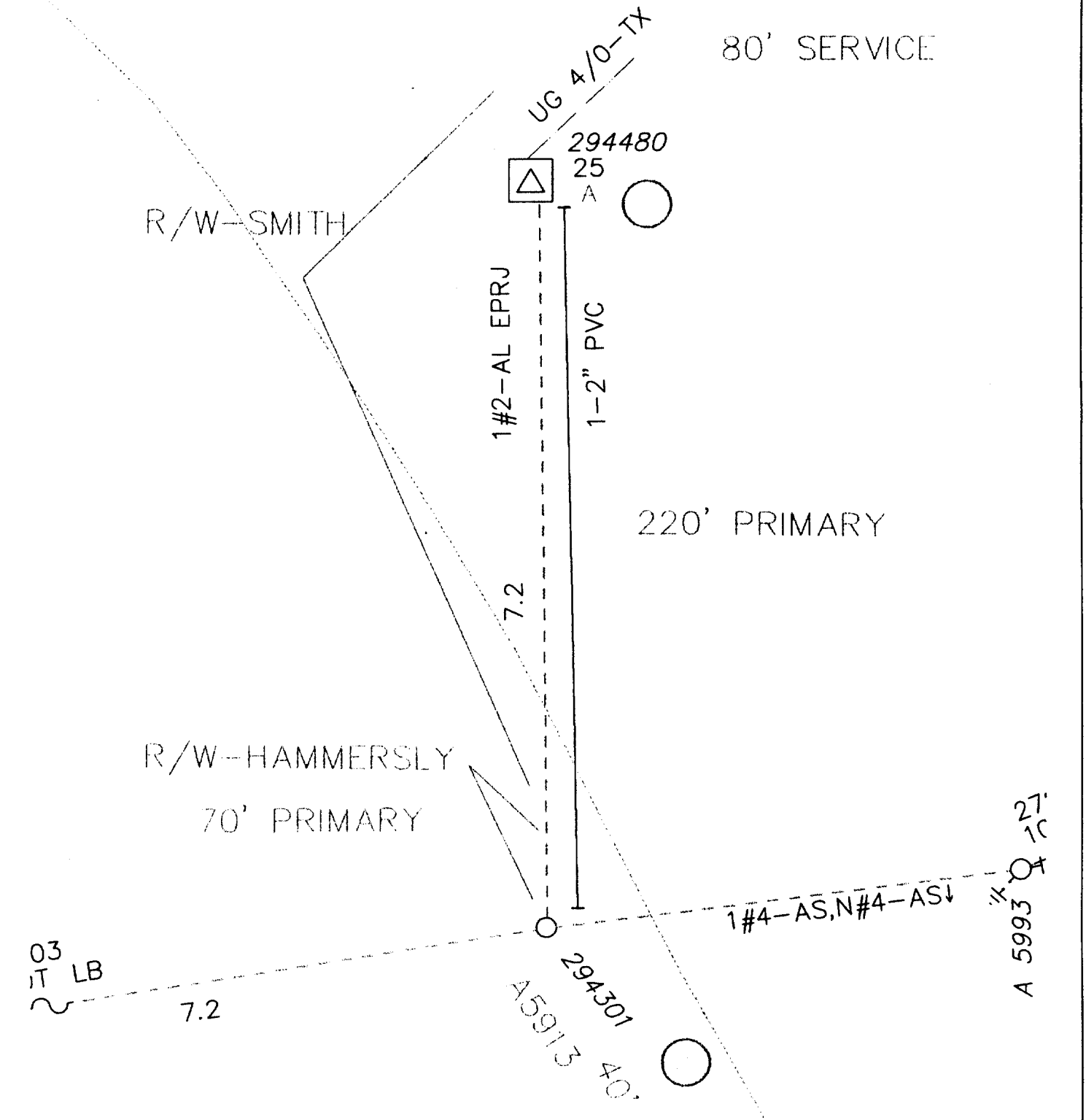
[Signature]
Notary Public in and for the State of
Washington residing at Castell


My appointment expires _____



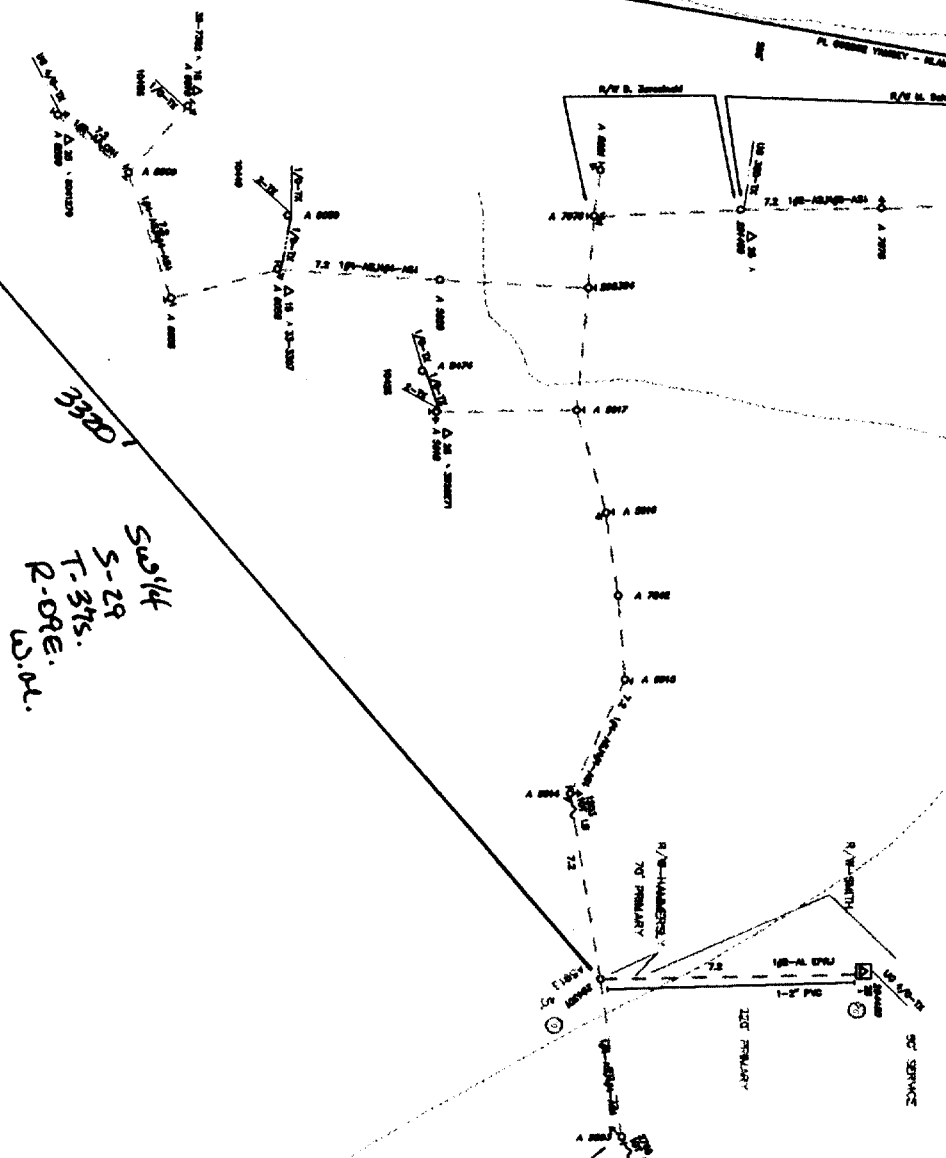
66764

80' SERVICE





| | | | | | |
|--|------------|------------|-----------------|--|---|
| Foreman | | Emp # | Job Start Date | |  PACIFICORP |
| CC# | WO# / REQ# | Map String | Job Comp Date | | |
| 11176 | 002424913 | 01437009.0 | | | 1 OF 2 |
| CUSTOMER : LEONARD SMITH ADDRESS : 10412 SIMPSON CANYON RD. | | | Circuit 5L49 | Post Jobs <input type="checkbox"/> RQII <input type="checkbox"/> Posted <input type="checkbox"/> | EST ID# 12950 |
| | | | | Print Date 04/27/04 | Scale 1=100' |

30 28 74 70



5-29
T-375.
P-OQE.
W.D.

| | | | | | | | |
|--|------------|------------|-----------------|--|---|------------|--------|
| Foreman | | Emp # | Job Start Date | |   | | |
| CC# | WO# / REQ# | Map String | Job Comp Date | | | | |
| 11176 | 002424913 | 01437009.0 | | | 2 OF 2 | | |
| CUSTOMER : LEONARD SMITH ADDRESS : 10412 SIMPSON CANYON RD. | | | Circuit 5L49 | Post Jobs <input type="checkbox"/> RQII <input type="checkbox"/> Posted <input type="checkbox"/> | EST ID# | Print Date | Scale |
| | | | | | 12950 | 04/27/04 | 1=400' |