

'05 JAN 13 AM 10:17

Vol M05 Page 02694

RECORDING REQUESTED BY:

GRANTOR: RICHARD A. SMITH
GRANTOR: GENEVA A. SMITH,
TRUSTEES OF THE RICHARD A.
SMITH REVOCABLE TRUST

GRANTEE: PACIFICORP

RETURN TO:

OC
PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

State of Oregon, County of Klamath
Recorded 01/13/05 10:17a m
Vol M05 Pg 02694-204
Linda Smith, County Clerk
Fee \$ 71.00 # of Pgs 11

RIGHT OF WAY EASEMENT

71

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

CC#: 11176 WO#: 02370091

02695

RIGHT OF WAY EASEMENT

For value received, Richard A. Smith and Geneva A. Smith, trustees of the Richard A. Smith Revocable Trust, ("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 3,302 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: 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:

Said property generally located in the NW 1/4 of Section 17, SE 1/4 of Section 8 and SW 1/4 of Section 9, Township 40S, Range 14E of the Willamette Meridian, and more specifically described in Volume M01 Page 29401 in the official records of Klamath County.
Assessor's Map No. Tax Parcel No. Section 17 - #100/Section 8 - #600/Section 9 - #301

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 12 day of June, 2007.

Richard A. Smith
A. Smith, trustee

Geneva A. Smith
Grantor(s) Geneva A. Smith, trustee

Grantor(s) Richard

Grantor(s)

Grantor(s)

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon

}ss.

County of Klamath

On June 12, 2007 before me, _____
DATE

NAME, TITLE OR OFFICER

personally appeared

Richard A. Smith and Geneva A. Smith
NAME(S) OF SIGNER(S)

☒ personally known to me -OR-

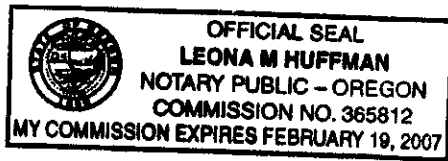
☒
c

proved to me on the basis of satisfactory
evidence to be the person(s) whose name(s)
is/are subscribed to the within instrument
and acknowledged to me that he/she/they

executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf which the person(s) acted, executed this instrument.

02696

WITNESS my hand and official seal.



Leona M. Huffman
SIGNATURE OF NOTARY

02697

8036

'01 JUN 19 PM3:39

200 MAR 13 PM 12:06

Vol M00 Page

BARGAIN AND SALE DEED

Vol M01 Page 29401

Richard A. Smith and Geneva A. Smith, Grantors, convey to the Richard A. Smith Revocable Living Trust dated December 21, 1999, Grantee, the following described real property:

See attached Exhibit A

The true consideration for this conveyance is \$-0-. This transaction is made for estate purposes only.

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 13 day of March, 2000.

Richard A. Smith
RICHARD A. SMITH, Grantor

Geneva A. Smith
GENEVA A. SMITH, Grantor

STATE OF OREGON)
) ss.
County of Klamath)

This instrument was acknowledged before me on March 13, 2000, by Richard A. Smith and Geneva A. Smith.

Mindy Tuter
Notary Public for Oregon
My commission expires: 2-15-2004

Richard A. Smith and
Geneva A. Smith, Grantors,

The Richard A. Smith Revocable
Living Trust dated December 21, 1999,

Grantee.



After recording return to:
Donald R. Crane
303 Main Street, Suite 201
Klamath Falls, Oregon 97601

Until a change is requested all tax statements
shall be sent to the following address.
Richard A. Smith
10166 E. Langell Valley Road
Bonanza OR 97623

EXHIBIT A

34/2 no RR

- At: Donal Crane OS

02698

8037

29402

PARCEL 1:

Township 40 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon:

Section 5: S1/2 NW1/4, NW1/4 SW1/4, and Government Lot 2

Section 8:

That portion of the NW1/4 SE1/4 and the NE1/4 SW1/4 of Section 8, Township 40 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, lying South of the following described line.

Beginning at a 5/8" iron pin with a Tru-Line Surveying plastic cap, in an existing fence line, from which the South 1/4 corner of said Section 8 bears South 36 degrees 01' 05" West 1613.43 feet; thence North 49 degrees 53' 34" West 1149.62 feet to a 5/8" iron pin with a Tru-Line Surveying plastic cap; thence along a line which is 20 feet Southerly of the center line of an existing road the following courses and distances, South 69 degrees 27' 36" West 503.72 feet, along the arc of a curve to the left (radius equals 1480.00 feet, central angle equals 14 degrees 13' 55" and the tangent equals 184.76 feet) 367.62 feet, South 55 degrees 13' 41" West 168.98 feet, along the arc of a curve to the right (radius equals 420.00 feet, central angle equals 28 degrees 27' 30" and the tangent equals 106.50 feet) 208.61 feet, South 83 degrees 41' 11" West 102.11 feet, along the arc of a curve to the left (radius equals 180.00 feet, central angle equals 39 degrees 33' 51" and the tangent equals 64.74 feet) 124.29 feet, and South 44 degrees 07' 20" West 70 feet, more or less to a point on the West line of said NE1/4 SW1/4, with bearings based on a time method solar observation.

The SW1/4 SE1/4 and the SE1/4 E1/2 EXCEPTING THEREFROM that portion of Section 8 lying Easterly of the following described line:

Beginning at the quarter corner common to Sections 8 and 9, Township 40 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, as marked by a Klamath County Surveyor brass capped monument; thence along the following described line with the angle points being marked by a 5/8" iron pin with Tru-Line Surveying plastic cap, South 89 degrees 50' 43" West 214.22 feet, South 00 degrees 09' 17" East 466.83 feet, North 89 degrees 50' 43" East 214.22 feet, South 00 degrees 09' 17" East 154.57 feet, South 62 degrees 01' 52" East 1173.37 feet, South 27 degrees 19' 17" East 624.58 feet, and South 00 degrees 09' 17" East 909.83 feet; thence South 26 degrees 43' 11" East 3028 feet, more or less, to a point on the East-West center section line of Section 16, Township 40 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, with bearings based on a time method solar observation.

EXHIBIT A

02699

8038

29403

Section 9:

The following parcel lying in Section 9 Southerly and Westerly of the line described below:

Beginning at the quarter corner common to Sections 8 and 9, Township 40 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, as marked by a Klamath County Surveyor brass capped monument; thence along the following described line with the angle points being marked by a 5/8" iron pin with Tru-Line Surveying plastic cap, South 89 degrees 50' 43" West 214.22 feet, South 00 degrees 09' 17" East 466.83 feet, North 89 degrees 50' 43" East 214.22 feet, South 00 degrees 09' 17" East 154.57 feet, South 62 degrees 01' 52" East 1173.37 feet, South 27 degrees 19' 17" East 624.58 feet, and South 00 degrees 09' 17" East 909.83 feet; thence South 26 degrees 43' 11" East 3028 feet, more or less, to a point on the East-West center section line of Section 16, Township 40 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, with bearings based on a time method solar observation.

Section 16:

The E1/2 SW1/4, W1/2 W1/2, and that portion of Section 16 lying Southerly and Westerly of the following described line:

Beginning at the quarter corner common to Sections 8 and 9, Township 40 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, as marked by a Klamath County Surveyor brass capped monument; thence along the following described line with the angle points being marked by a 5/8" iron pin with Tru-Line Surveying plastic cap, South 89 degrees 50' 43" West 214.22 feet, South 00 degrees 09' 17" East 466.83 feet, North 89 degrees 50' 43" East 214.22 feet, South 00 degrees 09' 17" East 154.57 feet, South 62 degrees 01' 52" East 1173.37 feet, South 27 degrees 19' 17" East 624.58 feet, and South 00 degrees 09' 17" East 909.83 feet; thence South 26 degrees 43' 11" East 3028 feet, more or less, to a point on the East-West center section line of Section 16, Township 40 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, with bearings based on a time method solar observation.

Section 17:

The NE1/4 NE1/4, E1/2 SE1/4, NW1/4 NE1/4 and the S1/2 NE1/4, NW1/4 SE1/4 lying Northerly and Easterly of the following described line:

Beginning at the Northeast corner of the SE1/4 of the NW1/4 of Section 17, Township 40 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, thence diagonally in a straight line to the Southeast corner of the NW1/4 of the SE1/4 of said Section 17, Township 40 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

02700

* Note: re-recording to add Township/Range parcel 3,
Sections 29, 32, 33

29404 8039

PARCEL 3:

* Township 39 South, Range 13 East of the Willamette Meridian,
Klamath County, Oregon:

Section 29: SE1/4 SE1/4

Section 32: E1/2 NE1/4, SW1/4 NE1/4, W1/2 SE1/4, NE1/4 SE1/4, SE1/4 SE1/4

Section 33: W1/2 NW1/4, SE1/4 NW1/4, NE1/4 SW1/4, NW1/4 SW1/4, S1/2 SW1/4

Township 40 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon:

Section 5: S1/2 NE1/4, NE1/4 SW1/4, S1/2 SW1/4, SE1/4

State of Oregon, County of Klamath
Recorded 3/13/00, at 12:06 pm.
In Vol. M00 Page 8036
Linda Smith,
County Clerk Fee \$ 36⁰⁰

State of Oregon, County of Klamath
Recorded 06/19/01, at 3:39 pm.
In Vol. M01 Page 29401
Linda Smith,
County Clerk Fee \$ 20⁰⁰ RR

Exhibit A Page 3 of 3

EXHIBIT A

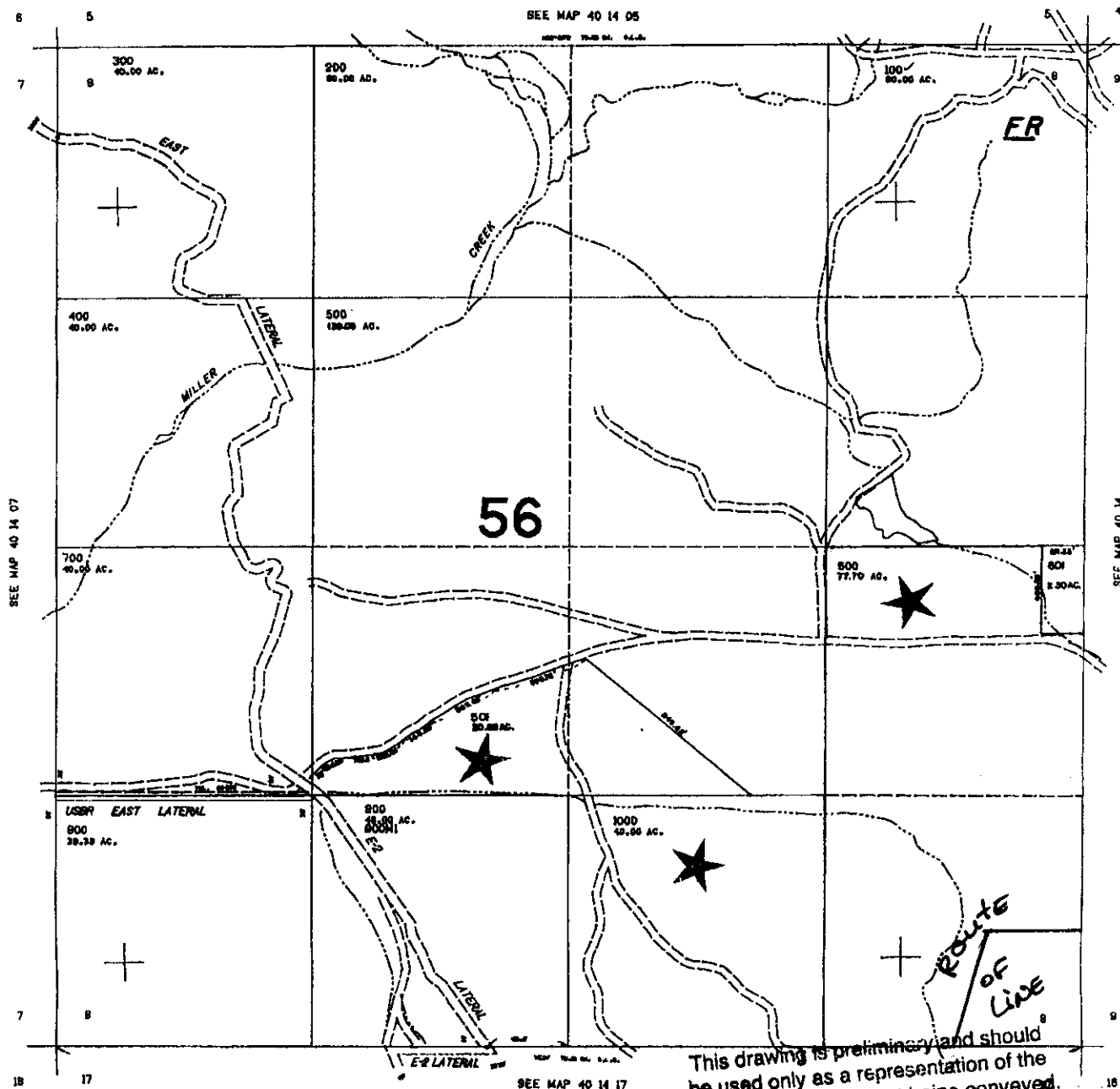
02701

40 14 08

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

SECTION 08 T.40S. R.14E. W.M.
KLAMATH COUNTY

7-400'



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.

182,000

40 14 08

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.



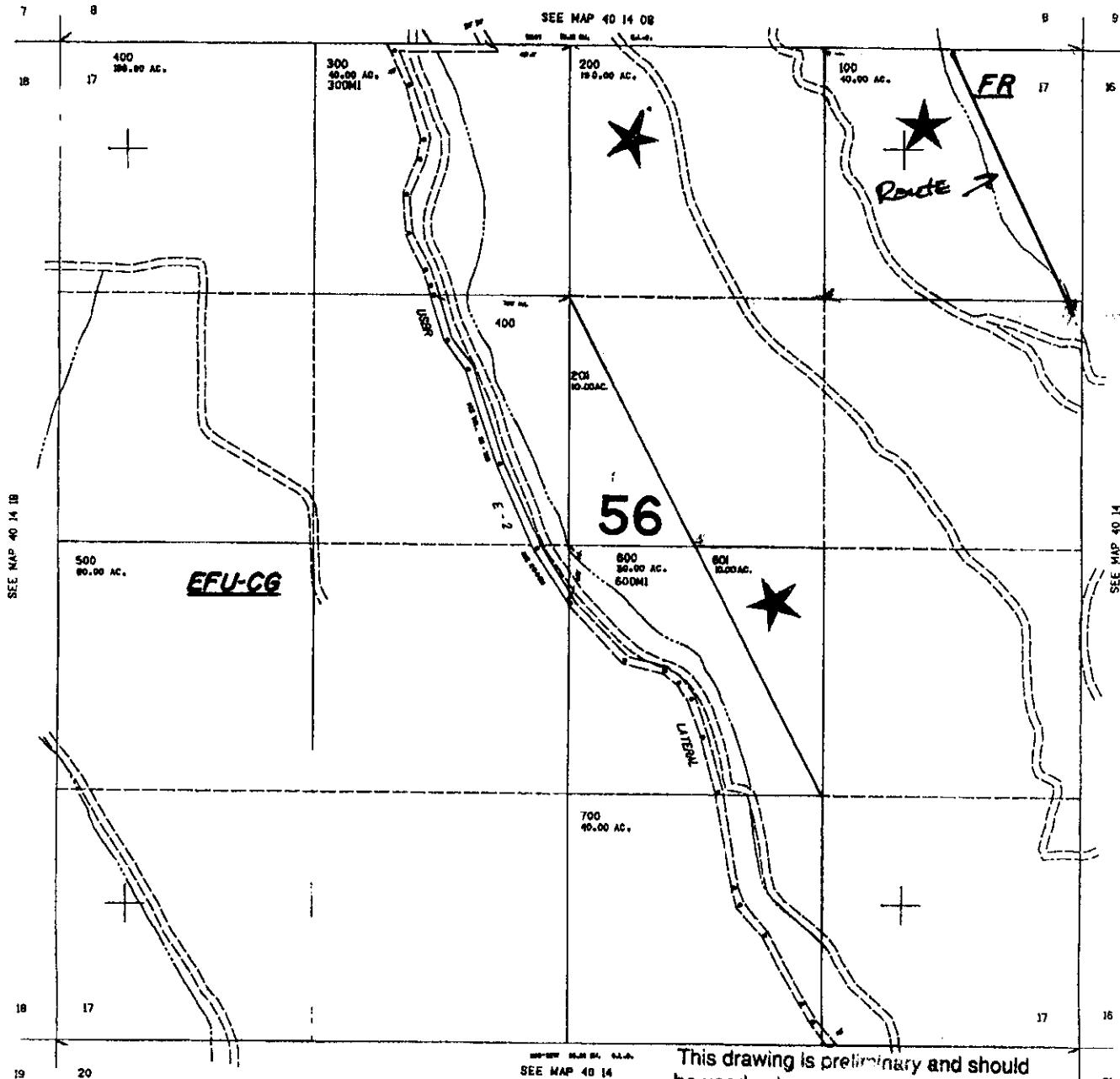
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

SECTION 17 T.40S. R.14E. W.M.
KLAMATH COUNTY

02702

40 14 17

1"=400'



This drawing is preliminary and should
be used only as a representation of the
location of the easement being conveyed.
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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.



MILLER

SEE MAP

RES.

40 14 08

SEE MAP

40 14 17

59.27 AC.

600
160.00Ac.

20

EFU-CG

EAST LANGELI
00

56

EXHIBIT "B"

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.

Amort Title

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.

POND

20 • 50'W

4.12 41.

02703

9

10

PONDS

300 :
20.00 AC

302
9.96 AC.

500
240.00
AQ.

402
10.22 AC.

POND
400
18878 AC.

401
22.70

403 10-22 AG

BOGGS

LAKE

500

WEST 72.50 CH.

WEST 75.00 CH.

359°52'W 80.00 CH.

NHG-63W 65.20 CH.

WEST

NO. 30 CH.

N

02704



EXHIBIT "C"



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.

BOGGS LAKE

R/W R. A. Smith

15 AB36-1854
15 AB54-576
15 C X-6561

F3933

DAM

F 3934

3#2-AS UNI

12.0

6-TX

160601

F3931

GUY TO SOUTH

F 3930

F 3929

28

979



Foreman		Emp #	Job Start Date		PACIFICORP 1 OF 1
CC#	WO# / REQ#	Map String	Job Complete Date		
11176	002370091	01440014.0			
CUSTOMER : DICK SMITH ADDRESS : EAST LANGELL VALLEY-BON.			Circuit 4L16	Post Jobs <input type="checkbox"/> RQI <input type="checkbox"/> Posted <input type="checkbox"/>	EST ID# 12950 Print Date 05/13/04 Scale 1"=200'