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Vol M05 Page 02714

State of Oregon, County of Klamath
Recorded 01/13/05 10:24 a m
Vol M05 Pg 02714-18
Linda Smith, County Clerk
Fee \$ 4.00 # of Pgs 5

RECORDING REQUESTED BY:

GRANTOR: McDONALD CANDY
COMPANY, INC.
GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

06
PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

RIGHT OF WAY EASEMENT

02715

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

CC: 11176 WO: 2398956

RIGHT OF WAY EASEMENT

For value received, McDonald Candy Company, Inc., ("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 25 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" attached hereto and by this reference made a part hereof:

Situated in a portion of the SW 1/4 of Section 17, Township 38S, Range 09E of the Willamette Meridian, and more specifically described in Volume M-04 Page 08027 in the official records of Klamath County.

Assessor's Map No. S-3809-017C0-01900-000 Tax Parcel No. #1900

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 5th day of MAY, 2004.

MCDONALD CANDY COMPANY, INC.

BY: Charles R Huey
(President)

Attest: _____
(Secretary)

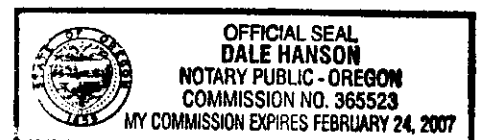
REPRESENTATIVE ACKNOWLEDGMENT

STATE OF Oregon
County of Lane

ss.

This instrument was acknowledged before me on this 5th day of May, 2004, by
Charles R Huey, as President of McDonald Candy Co.
Dale Hanson
Notary Public
My commission expires: 1/14/07

RECEIVED
MAY 07 2004
BY 178 13:10



04 FEB 10 PM 2:27

02716

Vol M04 Page 08027

State of Oregon, County of Klamath
 Recorded 02/10/2004 2:27 p.m.
 Vol M04 Pg 8027
 Linda Smith, County Clerk
 Fee \$ 21.00 # of Pgs 1

After Recording Return to:
 MC DONALD CANDY COMPANY INC.
 DBA WESTERN BEVERAGE CO

2360 W. Broadway
Eugene, OR 97402

Until a change is requested all tax statements
 Shall be sent to the following address:
 MC DONALD CANDY COMPANY INC.
 DBA WESTERN BEVERAGE CO
 Same as Above

ME 58267

WARRANTY DEED (INDIVIDUAL)

DARYL J. KOLLMAN AND MARTA C. CARPENTER WHO ACQUIRED TITLE AS MARTA C. KOLLMAN, herein called grantor, convey(s) to MC DONALD CANDY COMPANY INC. DBA WESTERN BEVERAGE CO, herein called grantee all that real property situated in the County of KLAMATH, State of Oregon, described as:

Lots 12 and 13, Block 1, Tract No. 1174, COLLEGE INDUSTRIAL PARK, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except covenants, conditions, restrictions, reservations, rights, rights of way and easements of record, if any, and apparent upon the land, contracts and/or liens for irrigation and/or drainage

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$127,195.00.
 (here comply with the requirements of ORS 91.930)

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 January 30, 2004

Daryl J. Kollman
 DARYL J. KOLLMAN

Marta C. Carpenter
 MARTA C. CARPENTER

STATE OF OREGON, County of Klamath) ss.

On January 30, 2004 personally appeared the above named DARYL J. KOLLMAN AND MARTA C. CARPENTER and acknowledged the foregoing instrument to be their voluntary act and deed.

This document is filed at the request of:

Aspen
 TITLE & ESCROW, INC.

525 Main Street
 Klamath Falls, OR 97601
 Order No.: 00058267

Before me: Shirley E. Aldinger
 Notary Public for Oregon
 My commission expires: 3-22-2005

Official Seal

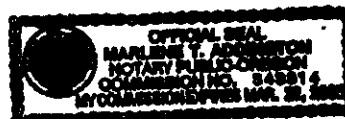
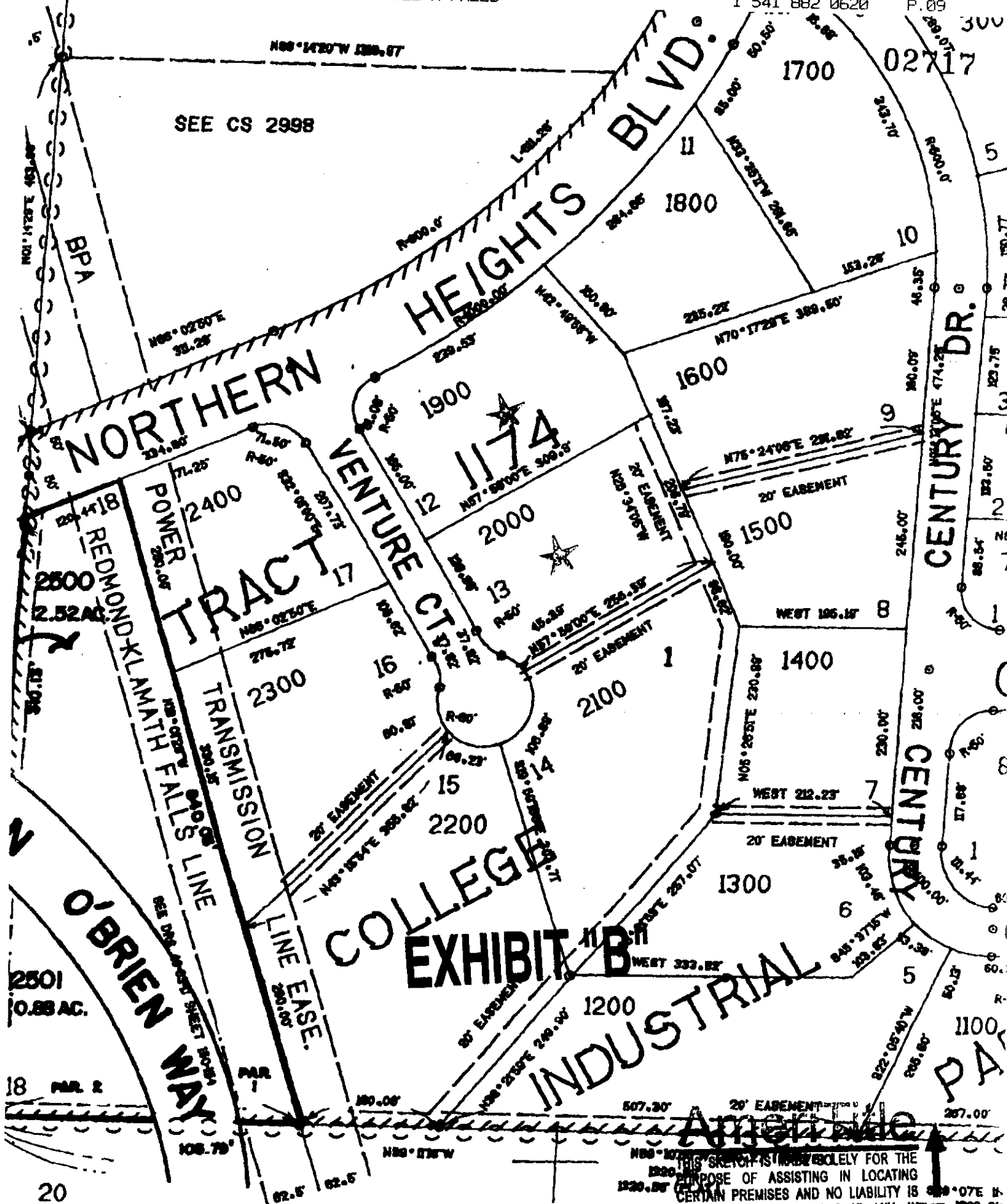


EXHIBIT A

2/A



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.

