

'05 JAN 27 AM 11:15

Vol M05 Page 06084

RECORDING REQUESTED BY:

GRANTOR: PUTNAM & SONS,  
LLC

GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

*8/*  
PACIFIC POWER  
1950 MALLARD LANE  
KLAMATH FALLS, OR 97601

State of Oregon, County of Klamath

Recorded 01/27/05 11:15 a m

Vol M05 Pg 06084-88

Linda Smith, County Clerk

Fee \$ 41.00 # of Pgs 5

---

## RIGHT OF WAY EASEMENT

---

211-

RECEIVED  
APR 16 2004

06085

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

BY: 158 11:20

CC: 11176 WO: 02396250

RIGHT OF WAY EASEMENT

For value received, PUTNAM & SONS LLC, ("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 250 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:

Said property generally located in The SE 1/4 of SW 1/4 of Section 8, Township 39 S, Range 09 E, of the Willamette (OR) Meridian, and more specifically described in Volume M02 Page 5643 in the Official Records of Klamath County.

Assessor's Map No. R-3909-00800-01201 Tax Parcel No. 1201

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 15<sup>th</sup> day of April, 2004.

PUTNAM & SONS LLC

BY: [Signature]

THOMAS A. PUTNAM (~~President~~) MEMBER

Attest: \_\_\_\_\_  
(Secretary)

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF Oregon

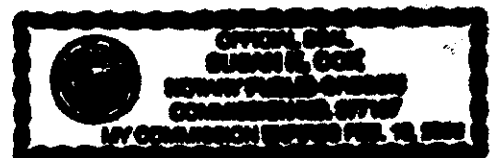
County of Klamath

ss.

This instrument was acknowledged before me on this 15<sup>th</sup> day of April, 2004, by  
Thomas A. Putnam, as Member of Putnam & Sons, LLC

[Signature]  
Notary Public

My commission expires: 2-19-08



## BARGAIN AND SALE DEED

06086

Thomas A. Putnam, Grantor, conveys to PUTNAM & SONS LLC, Grantee, the following described real property located in Klamath County, Oregon, to-wit:

SEE ATTACHED EXHIBIT A

The true and actual consideration for this conveyance is \$ FEUETABLE EXCHANGE

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.

IN WITNESS WHEREOF, the Grantor has executed this instrument the \_\_\_\_ day of December, 2001.



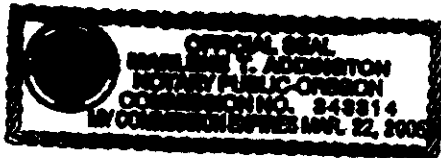
Thomas A. Putnam

STATE OF OREGON )

) ss.

County of Klamath )

Personally appeared Thomas A. Putnam, and acknowledged the foregoing instrument to be his voluntary act and deed.



  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-22-05

After recording return to:  
Robert F. Nichols, Jr.  
Attorney at Law  
35 South G Street  
Lakeview, OR 97630

State of Oregon, County of Klamath  
Recorded 01/29/2002 2:20 p.    m.  
Vol M02, Pg 5643-44  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2

Until a change is made all tax statements should be sent to:  
Putnam & Sons LLC  
3090 Memorial Drive  
Klamath Falls, OR 97601

**EXHIBIT A**

26A

**Parcel No. 1:**

A tract of land situated in Government Lots 1 and 11 of Section 17 and in Government Lots 3, 4, 13, and 14 of Section 8, all in Township 39 South Range 9, EWM, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the southeasterly right-of-way line of the Burlington Northern Railroad (20.00 feet left of centerline) at the terminus of the centerline of Memorial Drive from which the Southwest corner of said Section 8 bears South 77 degrees 25'28" West 1899.07 feet; thence South 23 degrees 12'16" East 115.07 feet to a ½ inch iron pin with Tru-Line Surveying plastic cap; thence South 20 degrees 54'50" East 280.65 feet to a + on the Northerly steel post of a fire hydrant barrier; thence South 28 degrees 59'20" East 492.50 feet to a 5/8 inch iron pin with Tru-Line Surveying plastic cap; thence continuing South 28 degrees 59'20" East 10 feet, more or less, to the Southerly line of said Government Lot 11, Klamath River; thence Northeasterly along said Government Lot lines of Government Lots 11, 14 and 13 to the Northeast corner of that tract of land described in Deed Volume M84 pages 15,892 and 15,893 of the Klamath County Deed records; thence North 61 degrees 19'12" West along said north line, 10 feet, more or less, to a 5/8 inch iron pin with Tru-Line Surveying plastic cap; thence continuing North 61 degrees 91'12" West 207.40 feet to a 5/8 inch iron pin with Tru-Line Surveying plastic cap marking the Northwest corner of said tract; thence Southerly along the west line of said tract, to a point 25.00 feet left of point of headblock No. 9 Turnout at Engineers Sta. 81 + 84.3, said point bears South 33 degrees 42'20" West 134.82 feet from said Northwest corner; thence along the Southeasterly right-of-way line of said railroad South 28 degrees 40'48" West 815.60 feet, to a point 25.00 feet left of Engineers Sta. 90 + 00, North 61 degrees 19'12" West 5.00 feet, to a point 20.00 feet left of said Sta., South 28 degrees 40'48" West 982.96 feet and along the arc of a curve to the right (radius equals 975.37 feet and central angle equals 00 degrees 27'45") 7.87 feet to the point of beginning, containing 18.6 acres, more or less, and with bearings based on Record of Survey No. 4200.

SUBJECT TO: A non exclusive easement described as follows: Beginning at the aforesaid point of beginning; thence South 23 degrees 12'16" East 115.07 feet to a ½ inch iron pin with Tru-Line Surveying plastic cap; thence North 30 degrees 27'45" East 93.63 feet to a ½ inch iron pin with Tru-Line Surveying plastic cap thence North 17 degrees 01'43" West 123.53 feet to a 5/8 inch iron pin with Tru-Line Surveying plastic cap; thence continuing North 17 degrees 0'43" West 6.98 feet to a point on the southeasterly right-of-way line of the Burlington Northern Railroad (20.00 feet left of centerline); thence along said right-of-way line South 28 degrees 40'48" West 105.71 feet and along the arc of a curve to the right (radius equals 975.37 feet and central angle equals 00 degrees 27'45") 7.87 feet to one point of beginning.

(Code 191; R782754; Map No. R-3909-01700-00203-000)

(Code 190; R820393; Map No. R-3909-00800-01201-000)

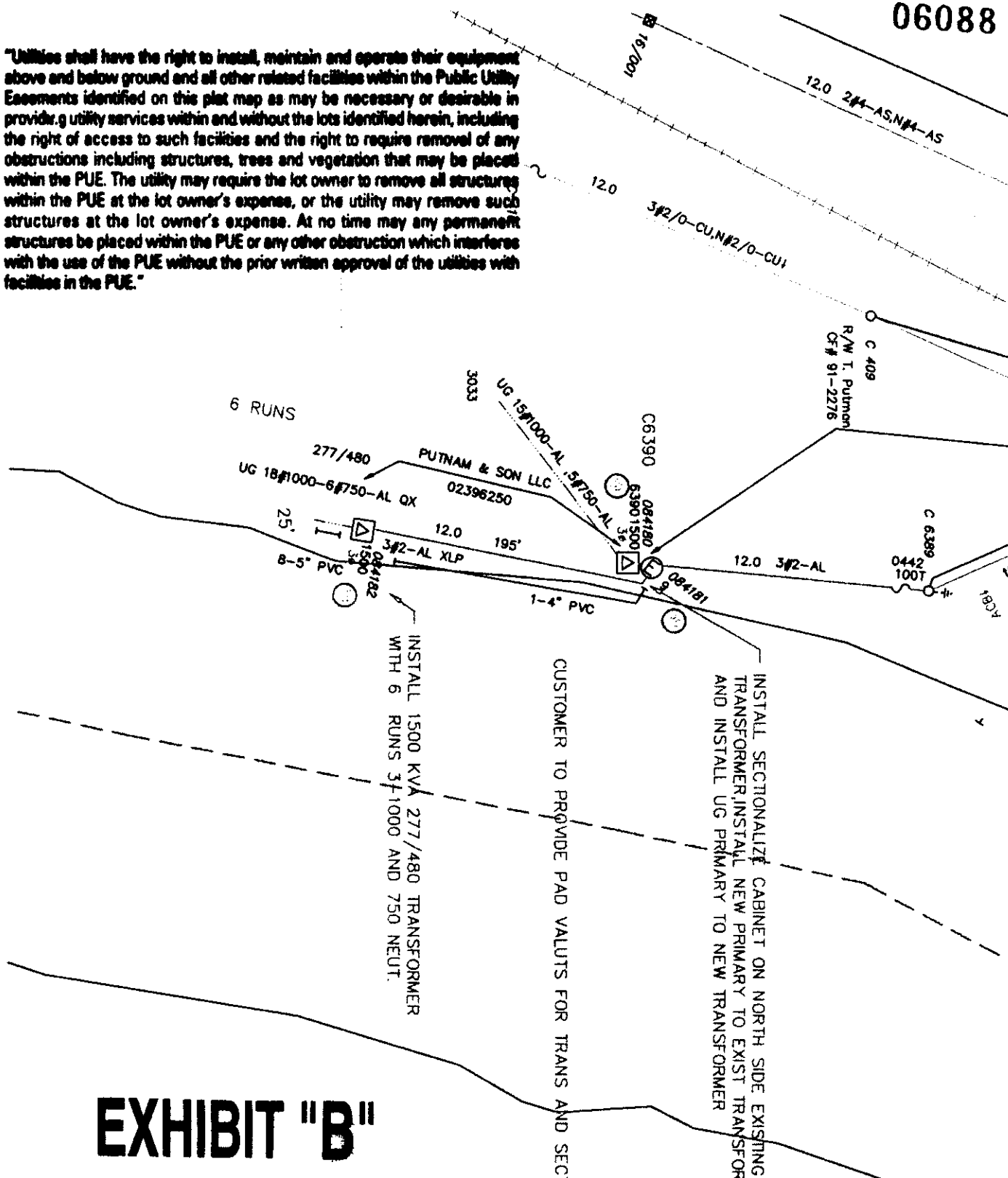
**Parcel No. 2**

Lot 2, Tract 1274 - Juniper Ridge, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.


# EXHIBIT A

06088

"Utilities shall have the right to install, maintain and operate their equipment above and below ground and all other related facilities within the Public Utility Easements identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. The utility may require the lot owner to remove all structures within the PUE at the lot owner's expense, or the utility may remove such structures at the lot owner's expense. At no time may any permanent structures be placed within the PUE or any other obstruction which interferes with the use of the PUE without the prior written approval of the utilities with facilities in the PUE."



# EXHIBIT "B"

Foreman		Emp #	Job Start Date		 <b>PACIFICORP</b>
CC#	WO# / REQ#	Map String	Job Comp Date		
11176	002396250	01439009.0			1 OF 1
CUSTOMER : STURDI CRAFT ADDRESS : 3033 MEMORIAL DR KLAMATH FALLS			Circuit 5L18	Post Jobs <input type="checkbox"/> RQII <input type="checkbox"/> Posted <input type="checkbox"/>	EST ID# 60177
					Print Date 03/25/04
					Scale 1=100'