

RECORDING REQUESTED BY:

GRANTOR: Kenneth M. Hart
GRANTOR: Deborah S. Hart

GRANTEE: PACIFICORP

RETURN TO:

06, PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

State of Oregon, County of Klamath
Recorded 02/17/2005 11:18a m
Vol M05 Pg 10802-06
Linda Smith, County Clerk
Fee \$ 41.00 # of Pgs 5

RIGHT OF WAY EASEMENT

'05 FEB 17 AM 11:18

RECEIVED

BY: URB 12:32

11

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, Kenneth M. Hart & Deborah S. Hart ("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 1730 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) B attached hereto and by this reference made a part hereof:

Lot 12 in tract 1396, third Addition to north Ridge Estates, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

Assessor's Map No. M04-32429 Tax Parcel No. 3809-01400-00800-000

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 therefore) 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

STATE OF OREGON,

County of Klamath } ss.

FORM No. 23—ACKNOWLEDGMENT.
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BE IT REMEMBERED, That on this 22 day of November, 2004, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named Deborah S. Hart

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that Deborah S. Hart executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Milli Whiting
Notary Public for Oregon
My commission expires August 29, 2008

OFFICIAL SEAL
MILLI WHITING

NOTARY PUBLIC-OREGON
COMMISSION NO. 384126
MY COMMISSION EXPIRES AUG. 29, 2008

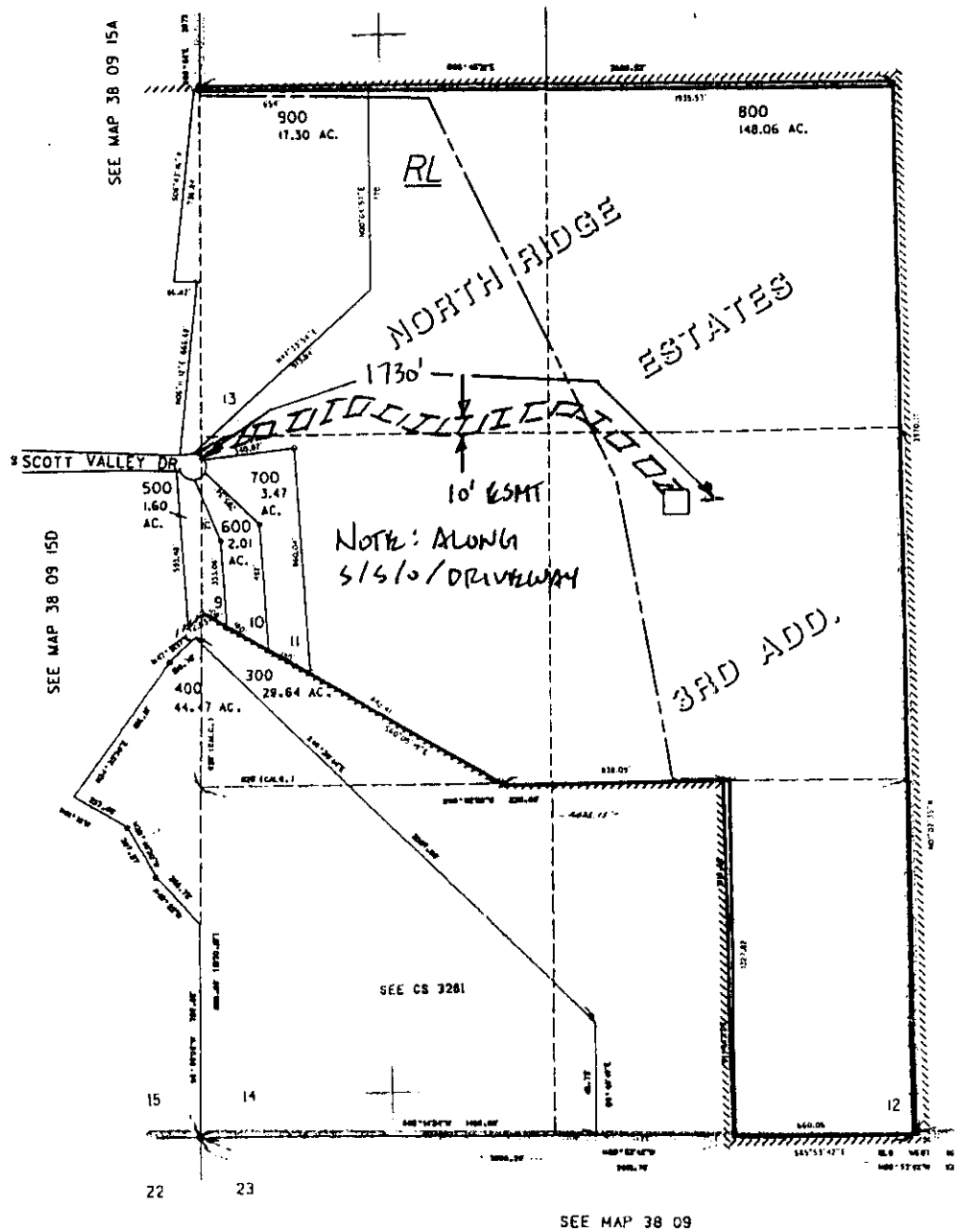
he/she/they executed the same in his/her/their signature(s) on the instrument the person(s), or the entity upon behalf which the person(s) acted, executed this instrument

WITNESS my hand and official seal.



SIGNATURE OF NOTARY

Property Description



CC#: 11176

WO#: 02527230

NAME: KENNETH M. HART

DRAWN BY: GARCIA

PacifiCorp

SCALE: NTS

SHEET 1 OF 1

EXHIBIT B



THIS SPACE RESERVED FOR RECORDER'S USE

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After recording return to:

Kenneth M Hart
106 Crystal Terrace Dr
Klamath Falls OR 97601

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

Escrow No. MT55310-KR

Title No. _____

State of Oregon, County of Klamath
 Recorded 05/21/2004 3:44 P m
 Vol M04 Pg 32429-30
 Linda Smith, County Clerk
 Fee \$ 26.00 # of Pgs 2

WARRANTY DEED

MBK, A PARTNERSHIP CONSISTING OF MELVIN L. STEWART, MARY LOU STEWART AND
 KENNETH L. TUTTLE, M.D., P.C., EMPLOYEES PENSION AND PROFIT SHARING PLAN AND
 TRUST AGREEMENT,

Grantor(s) hereby grant, bargain, sell, warrant and convey to:

KENNETH M. HART & DEBORAH S. HART, 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 12 IN TRACT 1396, THIRD ADDITION TO NORTH RIDGE ESTATES, ACCORDING TO
 THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF
 KLAMATH COUNTY, OREGON.**

SUBJECT TO: all those items of record and those apparent upon the land, 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 **\$150,000.00**.

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 30.920.

Dated this 21st day of August, 2002.

MBK, A PARTNERSHIP
 BY: Melvin L. Stewart
 MELVIN L. STEWART, PARTNER

BY: Mary Lou Stewart
 MARY LOU STEWART, PARTNER

THE KENNETH L. TUTTLE, M.D. PC
 EMPLOYEES PENSION AND PROFIT SHARING
 TRUST
 BY: Kenneth L. Tuttle
 KENNETH L. TUTTLE, M.D., TRUSTEE

State of Oregon
 County of KLAMATH

This instrument was acknowledged before me on May 21, 2004 by
 MELVIN L. STEWART & MARY LOU STEWART, PARTNERS OF MBK, A PARTNERSHIP.

Kristi L. Redd
 (Notary Public for Oregon)

My commission expires 11/16/2007



State of Oregon
County of KLAMATH

10806
32430

This instrument was acknowledged before me on August 21, 2002 by
KENNETH L. TUTTLE, M.D., TRUSTEE OF THE KENNETH L. TUTTLE, M.D., P.C.,
EMPLOYEES PENSION AND PROFIT SHARING PLAN AND TRUST AGREEMENT, AS PARTNER OF
MBK, A PARTNERSHIP.

Kristil L. Redd
(Notary Public for Oregon)

My commission expires 11/16/2003

