

05 JUN 17 AM 10:40

Vol M05 Page 45508

RECORDING REQUESTED BY:

GRANTOR: Wilbur A. Walker

GRANTOR: ~~Maria~~ L. Walker  
Marie

GRANTEE: PACIFICORP

RETURN TO:

0V PACIFIC POWER  
1950 MALLARD LANE  
KLAMATH FALLS, OR 97601

State of Oregon, County of Klamath

Recorded 06/17/05 10:40 a.m.

Vol M05 Pg 45508-11

Linda Smith, County Clerk

Fee \$ 36.00 # of Pgs 4

## RIGHT OF WAY EASEMENT

RECEIVED  
APR 20 2005

BY: R72 1538

36

UNDERGROUND RIGHT OF WAY EASEMENT**45509**

For value received, Wilbur A. and Maria L. Walker ("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 60 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 therefore; 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 B attached hereto and by this reference made a part hereof:

Said property generally located in the SW 1/4 NW 1/4 of Section 10 Township 39S Range 10E of the Willamette Meridian and more specifically described in Volume M76 Page 4417 in the official records of Klamath County.

Assessor's Map No. 3910-010BC-00400-000

Tax Parcel No. 400

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.

DATED this 29 day of April, 2005.

Wilbur A. Walker  
Wilbur A. Walker (Grantor)

Maria L. Walker  
Maria L. Walker (Grantor)  
M L Walker  
M L Walker

## INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }

County of Klamath } ss

On 04-29-05 before me, Rita F. Collins  
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Wilbur A. Walker and Marie L. Walker  
Name(s) of Signer(s)

☐ personally known to me    ~ OR ~    ☒ 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

WITNESS my hand and official seal.



Rita F. Collins  
SIGNATURE OF NOTARY

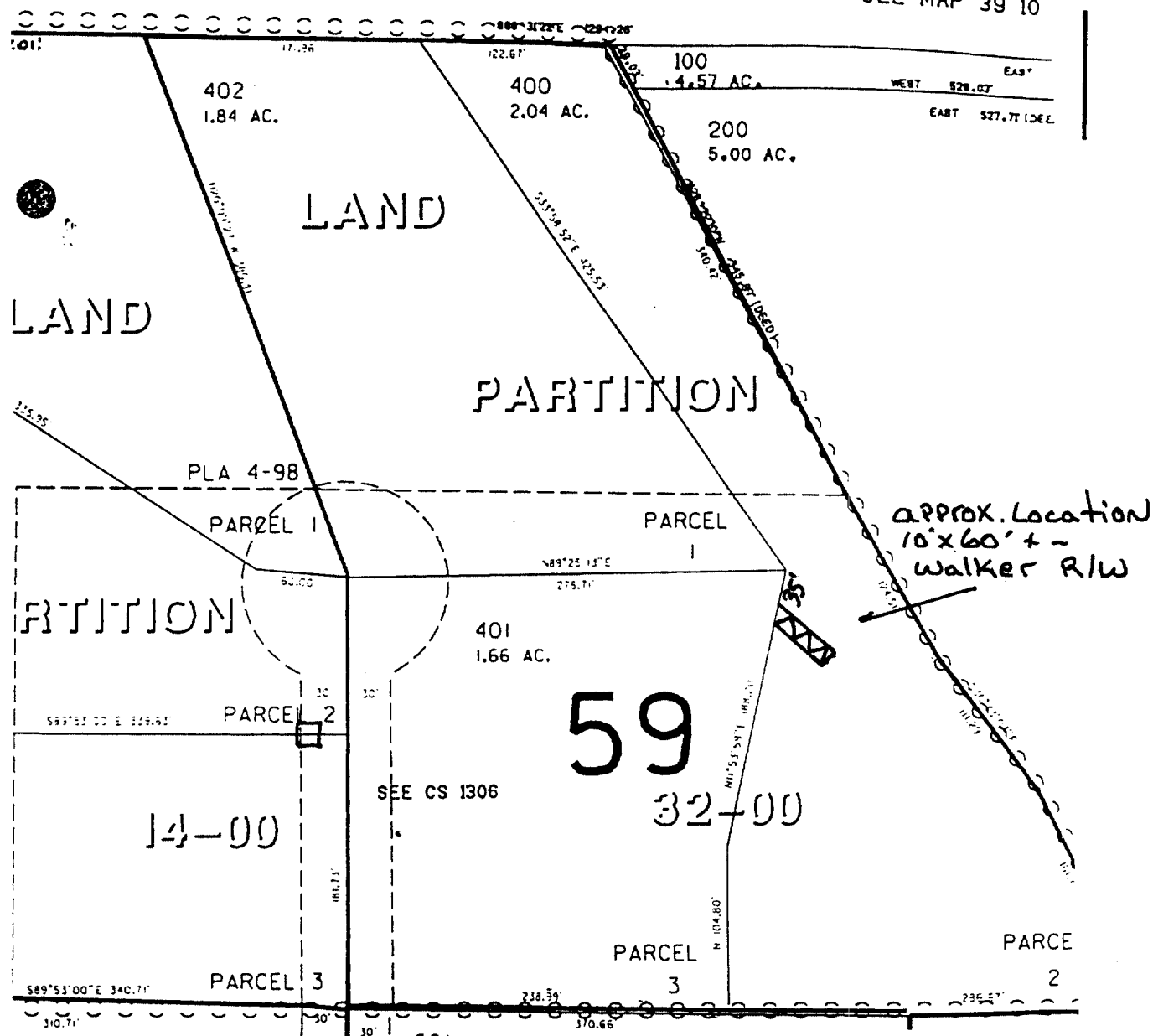
↑  
N

SW 1/4 NW 1/4

County: Klamath State: OR

Parcel Number: 400

SEE MAP 39 10



Landowner Name: Walker

Drawn by: B. Olden

This drawing 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 within the boundaries of the described easement area.

# EXHIBIT A

# PacifiCorp

SCALE: NTS

KNOW ALL MEN BY THESE PRESENTS, That Ronald Lee

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Wilbur A. Walker, husband and wife,

and assigns, that certain real property, with the improvements and appurtenances thereunto belonging in and pertaining, situated in the County of Klamath

That portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 10, Township 39 South, Range 10, East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Commencing at the 4 corner common to Sections 9 and 10, Township 19 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; thence North  $51^{\circ}22'00''$  East 1109.24 feet to a  $5/8$  inch iron pin marking the point of beginning for this description; thence West 761.62 feet to a  $5/8$  inch iron pin; thence North 339.65 feet to a  $5/8$  inch iron pin; thence East 539.38 feet to a  $5/8$  inch iron pin; thence South  $28^{\circ}22'10''$  East, 122.99 feet to a  $5/8$  inch iron pin; thence South  $36^{\circ}40'25''$  East 111.29 feet to a  $5/8$  inch iron pin; thence South  $28^{\circ}32'50''$  East 161.82 feet to the point of beginning containing 5.00 acres, more or less, said bearings being based on recorded survey No. 245.

To Have and to hold the same unto the said Grantor and grantee's heirs, successors and assigns forever  
And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that  
grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except those  
apparent upon the land, and

**SEE REVERSE SIDE**

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 60,000.00

11. Allowance for doubtful accounts: The allowance for doubtful accounts is a contra asset account that is used to estimate the amount of accounts receivable that will not be collected. It is calculated as a percentage of accounts receivable. The allowance for doubtful accounts is a contra asset account that is used to estimate the amount of accounts receivable that will not be collected. It is calculated as a percentage of accounts receivable.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be inspired to make the provisions hereof apply equally to corporations and in individuals.

In Witness Whereof, the grantor has executed this instrument this 2<sup>nd</sup> day of March, 1976; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized therein by order of its board of directors.

It started by a corporation  
after someone said!

STATE OF OREGON,  
County of ...Klamath  
March 29, 1976

Personality appeared (he also claimed)  
J. J. Donald Lee

and admitted the foregoing in-  
sult to be

COPIES  
SEAL

Primary Public for Oregon  
My commission expires: 5/2/81

STATE OF OREGON, County of \_\_\_\_\_

**Previously reported**

each for himself and not one for the other, did say that the Bureau is the president and that the latter is the secretary of

and that the cost affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in full of said corporation by authority of its board of directors and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

Notary Public for Oregon  
My commission expires:

(OFFICIAL)

SEAL)

STATE OF OREGON.

County of \_\_\_\_\_  
I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded  
in book \_\_\_\_\_ on page \_\_\_\_\_ or as  
file/real number \_\_\_\_\_  
Record of Deeds of said County.  
Witness my hand and seal of  
County aforesaid.

Recording Officer  
Deputy

CC#

**WO#:**

NAME:

DRAWN BY:

## EXHIBIT B

# PacifiCorp

**SCALE:**

SHEET OF