

05 JUN 17 AM 10:40

RECORDING REQUESTED BY:

GRANTOR: Bradley Zimmer
GRANTOR: Jennifer Zimmer

GRANTEE: PACIFICORP

RETURN TO:

✓
PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

Vol M05 Page 45521

State of Oregon, County of Klamath

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

Vol M05 Pg 45521-24

Linda Smith, County Clerk

Fee \$ 36⁰⁰ # of Pgs 4

RIGHT OF WAY EASEMENT

RECEIVED
APR 26 2005
BY: JHB

UNDERGROUND RIGHT OF WAY EASEMENT

45522

For value received, Bradley Zimmer and Jennifer Zimmer ("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 35 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 M04 Page 19575 in the official records of Klamath County.

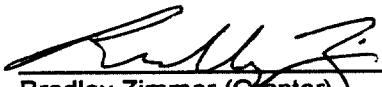
Assessor's Map No. 3910-010BC-00401-000 Tax Parcel No. 401


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 26th day of April, 2005.


Bradley Zimmer (Grantor)


Jennifer Zimmer (Grantor)

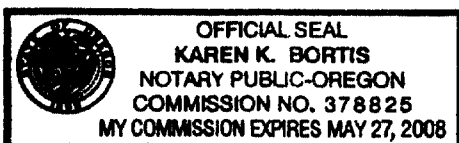
INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } ss


On 26th of April 2005 before me, Karen K. Bortis
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared BRADLEY ZIMMER & JENNIFER ZIMMER
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.

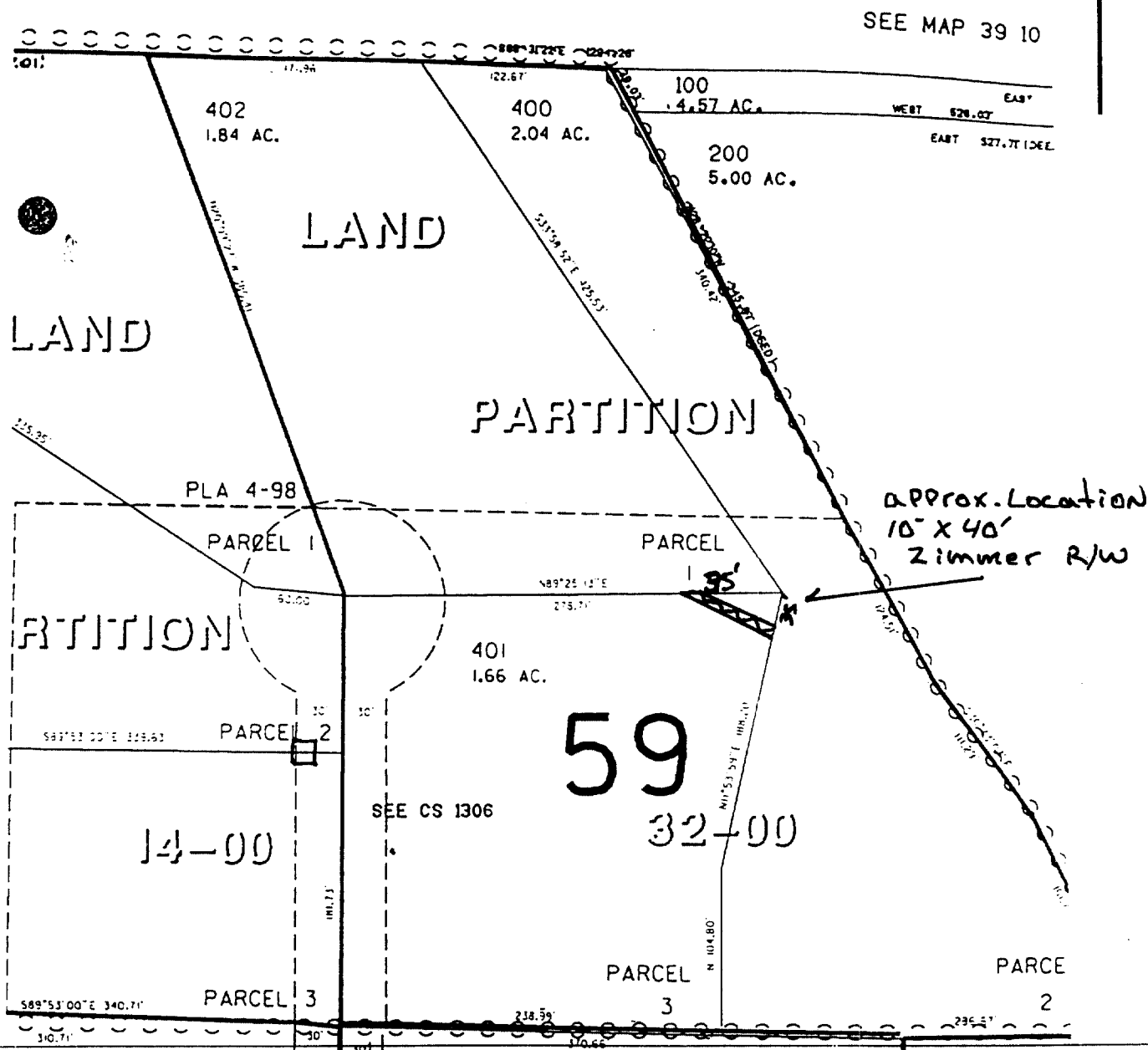

SIGNATURE OF NOTARY

SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section: 10 Township: 39, (N or S), Range: 10e (E or W) W.M. Meridian

County: Klamath State: OR

Parcel Number: _____



CC#: 11176 WO#: 02598079

Landowner Name: Zimmer

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: **N.T.S.**

Property Description

Vol MD4 Page 19575

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

BRADLEY ZIMMER
2972 SOUTH 6TH STREET
KLAMATH FALLS, OR. 97603

State of Oregon, County of Klamath
Recorded 04/06/2004 3:14 p.m.
Vol MD4 Pg 19575
Linda Smith, County Clerk
For \$ 2.00 # of Pgs 1

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

BRADLEY ZIMMER
2972 SOUTH 6TH STREET
KLAMATH FALLS, OR. 97603

Escrow No. MT54200-MS

STATUTORY WARRANTY DEED

WILBUR A. WALKER and MARIE L. WALKER, as tenants by the entirety, Grantor(s) hereby convey and warrant to BRADLEY ZIMMER and JENNIFER ZIMMER, as tenants by the entirety, Grantee(s) the following described real property in the County of Klamath and State of Oregon, free of encumbrances except as specifically set forth herein:

Parcel 3 of Land Partition 32-00, being a parcel of land created by property line adjustment 04-98, situated in the SW1/4 NW1/4 of Section 10, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

Tax Account No: 3910-010BC-00401-000

Key No: 887364

887364

3910-010BC-00401-000

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.

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 6th day of April, 2004

WILBUR A. WALKER

BY: Wilbur A. Walker
Wilbur A. Walker, Exchanger

MARIE L. WALKER

BY: Marie L. Walker
Marie L. Walker, Exchanger

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on April 6, 2004 by WILBUR A. WALKER and MARIE L. WALKER.

My commission expires 12/2006

CC#: 11176

WO#: 02598079

NAME: Zimmer

DRAWN BY: B. Olden

EXHIBIT B

PacifiCorp

SCALE:
NTS

SHEET 2 OF 2