

'05 JUN 17 AM 10:40

RECORDING REQUESTED BY:

GRANTOR: ALBINA FUEL
COMPANY
GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

Vol M05 Page 45525

State of Oregon, County of Klamath

Recorded 06/17/05 10:40 a m

Vol M05 Pg 45525-29

Linda Smith, County Clerk

Fee \$ 41⁰⁰ # of Pgs 5

RIGHT OF WAY EASEMENT

Return to: Pacific Power
1950 M ALLARD LANE
KLAMATH FALLS, OR 97603

RECEIVED
02/11/04
@ 1055

CC: 11176 WO: 02366546

45526

RIGHT OF WAY EASEMENT

For value received, ALBINA FUEL COMPANY, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 20 feet in width and 600 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 NW 1/4 NW 1/4 SECTION 10, T 39 S, R 9 E, WM

Assessor's Map No. M02-37666 & 37667 Tax Parcel No. R-3909-010BB-00100

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 _____ day of _____, 2004

BY: _____

(President)

Attest: _____

(Secretary)

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF _____

County of _____

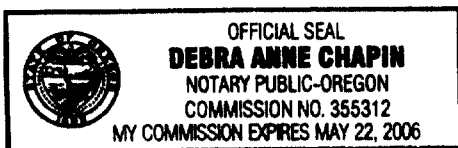
ss.

This instrument was acknowledged before me on this _____ day of _____, 2004, by

_____ as _____ of _____

Notary Public

My commission expires: _____





THIS SPACE RESERVED FOR RECORDER'S USE

MT 57498 LW

45527

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After recording return to:

ALBINA FUEL COMPANY3246 N.E. BROADWAY ST.PORTLAND, OR 97232

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

ALBINA FUEL COMPANY3246 N.E. BROADWAY ST.PORTLAND, OR 97232Backrow No. MT57498-LW

Title No. _____

State of Oregon, County of Klamath

Recorded 07/01/2002 11:27 a m.Vol M02, Pg 37666-67

Linda Smith, County Clerk

Fee \$ 216.00 # of Pgs 2

'02 JUL 14 11:27

WARRANTY DEED

LESTER ROOKSTOOL AND GARY L. RENNE, EACH AS TO AN UNDIVIDED 1/2 INTEREST, AS
TENANTS IN COMMON.,

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

ALBINA FUEL COMPANY, an Oregon Corporation

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:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

3909-0108B-00100-000

542336

3909-0108B-00100-0A1

542327

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 \$ 600,000.00.

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 30.930.

Dated this 1st day of July, 2002

[Signature]
LESTER ROOKSTOOL
[Signature]
GARY L. RENNE

State of Oregon
County of Klamath

This instrument was acknowledged before me on July 1st, 2002 by
LESTER ROOKSTOOL AND GARY L. RENNE.

[Signature]
(Notary Public for Oregon)

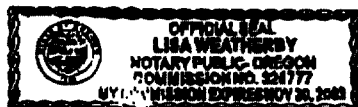
My commission expires 11/20/2003

EXHIBIT A

45528
37667**EXHIBIT "A"**
LEGAL DESCRIPTION

A tract of land situated in the NW1/4 NW1/4 of **Section 10**, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:


Beginning at a point on the South line of Hilyard Avenue, 367.74 feet East (932.35 feet as disclosed by County Survey #1709) of the intersection of the South line of Hilyard Avenue and the East line of Washburn Way; thence South 00 degrees 26' 25" West 907.89 feet to a point; thence East 350.00 feet to a point; thence Northerly along the Western right of way line of the Burlington Northern Railroad to a point on the South boundary of Hilyard Avenue; thence West 300.41 feet to the point of beginning.

SAVING AND EXCEPTING any portion lying within the boundaries of Hilyard Avenue.

EXHIBIT A

This drawing is preliminary and 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.

EXHIBIT "B"

Foreman		Emp #	Job Start Date		 PACIFICORP 2 of 2	
CC#	WO# / REQ#	Map String	Job Comp Date			
11176	002366546	01439009.0				
CUSTOMER : ALBINA FUELS ADDRESS : 2936 HILYARD AVE KLAMATH FALLS			Circuit 5L4	Post Jobs <input type="checkbox"/> RQII <input type="checkbox"/> Posted <input type="checkbox"/>	EST ID# 60177	Print Date 02/02/04
					Scale 1"=200'	