

RECORDING REQUESTED BY:

GRANTOR: Jed Etters

GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

State of Oregon, County of Klamath

Recorded 07/28/05 9:23 A m

Vol M05 Pg 58329 - 34

Linda Smith, County Clerk

Fee \$ 46.00 # of Pgs 6

RIGHT OF WAY EASEMENT

UNDERGROUND RIGHT OF WAY EASEMENT

58330

For value received, Jed Etters ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a non-exclusive easement for a right of way 5 feet in width and 205 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) A & B attached hereto and by this reference made a part hereof:

Said property generally located in the S 1/2 of Section 28 Township 38S Range 09E of the Willamette Meridian and more specifically described in Volume M03 Page 15179 - 81 in the official records of Klamath County.

Assessor's Map No. R-3809-028BB-00200-000 Tax Parcel No.

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 November, 2004.

[Signature]
(Grantor)

[Signature]
(Grantor)

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

RECEIVED

BY: RFC 1101

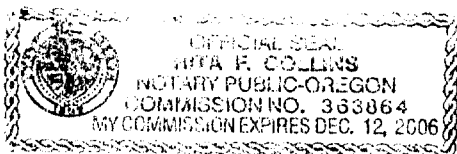
Oregon }
of Klamath } ss

On November 29, 2004 before me, Rita F. Collins
Name, Title or Officer (eg Jane Doe, Notary Public)

Ily appeared Jed Etters
Name(s) of Signer(s)

nally 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

03 MAR 13 PM 2:40

1 541 882 0000

EXHIBIT A

58331



After recording return to:
Jedidiah S. Etters
Loma Linda
Klamath Falls, OR 97601

Until a change is requested all tax statements
shall be sent to the following address:
Jedidiah S. Etters
Loma Linda
Klamath Falls, OR 97601

File No.: 7021-129535 (SAC)
Date: March 13, 2003

THIS SPACE RESERVED FOR RECORDER'S USE

Vol M03 Page 15179

State of Oregon, County of Klamath
Recorded 03/13/2003 2:40 p.m.
Vol M03 Pg 15179-81
Linda Smith, County Clerk
Fee \$ 31 # of Pgs 2

EXHIBIT

STATUTORY WARRANTY DEED

Orvis E. Ely and Martha A. Ely, husband and wife as tenants by the entirety, Grantor, conveys and warrants to **Jedidiah S. Etters**, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

This property is free from liens and encumbrances, EXCEPT: Reservations and restrictions of record, rights of way, and easements of record and those apparent upon the land, contracts and/or liens for irrigation and/or drainage.

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.

The true consideration for this conveyance is **\$20,000.00**. (Here comply with requirements of ORS 93.030)

Orvis E. Ely
Orvis E. Ely

Martha A. Ely
Martha A. Ely

K31

58332

15180

APN: 218160

Statutory Warranty Deed
- continued

File No.: 7021-129535 (SAC)
Date: 03/13/2003

STATE OF Oregon)
County of Klamath) ss.

This Instrument was acknowledged before me on this 13 day of March, 2003
by **Orvis E. Ely and Martha A. Ely.**

[Signature]
Notary Public for Oregon

My commission expires: 8-2-03

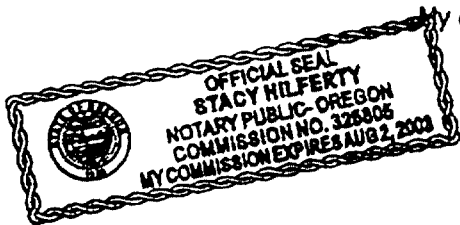


EXHIBIT A

58333

15181

APN: 218160

Statutory Warranty Deed
- continuedFile No.: 7021-129535 (SAC)
Date: 03/13/2003**EXHIBIT A****LEGAL DESCRIPTION:**

A portion of the SE 1/4 NW 1/4 of Section 28, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the most Northerly corner of Lot 26, Loma Linda Heights; thence N. 68°45' E. a distance of 154.81 feet to the most Westerly corner of parcel deeded to The California Oregon Power Co. by Deed Volume 96 page 240; thence S. 21°15' E., along the Southwesterly line of said parcel, a distance of 139.0 feet; thence S. 58°09'23" E., along the Southerly line of parcel deeded to Oregon Water Corporation by Deed Volume 359 page 35, a distance of 185.84 feet to the East line of said SE 1/4 NW 1/4; thence South along said East line a distance of 248 feet, more or less, to the Northeast corner of Lot 31, Loma Linda Heights; thence N. 39°38' W., along the Northeasterly line of Loma Linda Heights, a distance of 548.1 feet to the point of beginning.

EXHIBIT A

EXHIBIT "B"

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"

S 1/2
S-28
T-38S.
R-09E W.M.

1 LOMA
ST.
LOMA LINDA DR
HEIGHTS
American
DUFFY AVE.
WIL EAST PLAMATH FALLS

284602
100
0.92 AC.
284580
10' R/W
284505
CS 4072
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SEE MAP 38 09 28AC

THIS SKETCH IS MADE SOLELY FOR THE
PURPOSE OF ASSISTING IN LOCATING
CERTAIN PREMISES AND NO LIABILITY IS
ASSUMED FOR VARIATIONS IN ANY
DIMENSIONS OR LOCATIONS ASCERTAINED
BY ACTUAL SURVEY.