

Vol M05 Page 58335

RECORDING REQUESTED BY:

GRANTOR: P.J. McNeal Properties LLC  
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 AMVol M05 Pg 58335-39

Linda Smith, County Clerk

Fee \$ 4100 # of Pgs 5**RIGHT OF WAY EASEMENT**

RECEIVED

BY: UHP

CC#: 11176 WO#: 02602389

UNDERGROUND RIGHT OF WAY EASEMENT**58336**

For value received, P.J. McNeal Properties, LLC ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a non-exclusive easement for a right of way 15 feet in width and 75 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 NW 1/4 of Section 22 Township 39S Range 9E of the Willamette Meridian and more specifically described in Volume M04 Page 79419 in the official records of Klamath County.

Assessor's Map No. R-3909-02200-0200

Tax Parcel No. 0205 and 0206

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 17<sup>th</sup> day of March, 2005.

(Grantor)

(Grantor)

## INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of

Oregon

}

County of

Klamath

} ss

}

On

March 17, 2005

before me,

Patrick J. McNeal Rosemary Marquez

Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared

Patrick J. McNeal

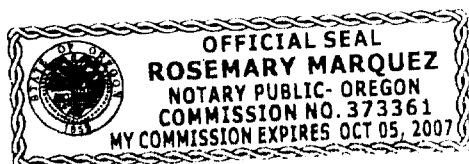
Name(s) of Signer(s)

☐ 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





MTZ-66580 KR

58338

Vol M04 Page 79419

THIS SPACE RESERVE

State of Oregon, County of Klamath  
 Recorded 11/17/04 3:32 P m  
 Vol M04 Pg 79419-20  
 Linia Smith, County Clerk  
 Fee \$ 24.00 # of Pgs 2

After recording return to:  
 P.J. McNeal Properties, LLC, an Oregon limited  
 liability company  
 6450 Swan Court  
 Klamath Falls, OR 97603

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

P.J. McNeal Properties, LLC, an Oregon limited  
 liability company  
 6450 Swan Court  
 Klamath Falls, OR 97603

Escrow No. MT66580-KR

### STATUTORY WARRANTY DEED

Klamath Community Development Corporation, and Oregon Corporation, Grantor(s) hereby convey and warrant to P.J. McNeal Properties, LLC, an Oregon limited liability company, 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:

Parcels 1, 2, and 3 of Land Partition 15-02, said Land Partition being a partition of Parcel 1 of Land Partition 32-95, situated in the SW1/4 of Section 15 and the NW1/4 of Section 22, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Tax Account No.:	3909-02200-00200-000	Key No.:	582104
Tax Account No.:	3909-02200-00200-0A1	Key No.:	885503
Tax Account No.:	3909-02200-00205-000	Key No.:	888715
Tax Account No.:	3909-02200-00206-000	Key No.:	888716

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 premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Irrigation District with Agreement for Exclusion from Klamath Irrigation District and Release of Water and Drainage Rights subject to the terms and provisions thereof dated December 5, 1997 and recorded January 14, 1998 in Volume M98, page 1123, Microfilm Records of Klamath County, Oregon; Easements as dedicated or delineated on the recorded plat for Railroad Spur Access that affects the Northerly and Westerly portions of Parcel 3 and along the Westerly lines of Parcels 1 and 2; Easements as dedicated or delineated on the recorded plat for Municipal Water Line that affects the Westerly 16 feet of Parcels 1, 2 and 3; an Easement created by instrument, subject to the terms and provisions thereof dated October 11, 1996 and recorded October 15, 1996 in Volume M96, page 32716, Microfilm Records of Klamath County, Oregon in favor of PacificCorp, an Oregon corporation for a power line that affects a Northerly portion of Parcel 2 and a central portion of Parcel 3 as delineated on the face of Land Partition 15-02; Offset of existing building on Parcel 2 from the property line that affects the Westerly 18 feet of a portion of Parcel 2; Easements as dedicated and delineated on the recorded plat for ingress and egress for the benefit of Parcel 2 that affects a Southeasterly portion of Parcel 3; and an existing encumbrance of improvements on Parcel 3 onto Parcel 2 of Land Partition 32-95, as delineated on the face of Land Partition 15-02.

The true and actual consideration for this conveyance is \$1,625,000.00.

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 16th day of November, 2004

Klamath Community Development Corporation, an Oregon corporation

By:

# EXHIBIT "B"

State of Oregon  
County of KLAMATH

58339  
79420

This instrument was acknowledged before me on Nov. 16, 2004 by John Dey,  
President for Klamath Community Development Corporation, an Oregon Corporation. us

Kristi L. Reid  
(Notary Public)

My commission expires 11/16/2007



EXHIBIT "B"