

05 AUG 4 PM 0:55

Vol M05 Page 61120

RECORDING REQUESTED BY:

GRANTOR: Katherine E. Mogle
GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

State of Oregon, County of Klamath

Recorded 08/04/05 8:55 AM

Vol M05 Pg 61120-23

Linda Smith, County Clerk

Fee \$ 96.00 # of Pgs 4

RIGHT OF WAY EASEMENT

RECEIVED

BY:

36

UNDERGROUND RIGHT OF WAY EASEMENT

61121

For value received, Katherine E. Mogle ("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 660 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 NE 1/4 of Section 35 Township 34S Range 8E of the Willamette Meridian and more specifically described in Volume M77 Page 24533 in the official records of Klamath County.

Assessor's Map No.

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 10th day of May, 2005.

Katherine E. Mogle
(Grantor)

(Grantor)

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

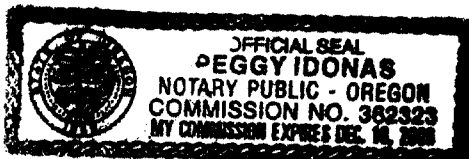
State of OREGON }

County of KLAMATH } ss }

On May 10, 2005 before me, Peggy Idonas, Senior Court Clerk
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared KATHERINE E. MOGLE
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

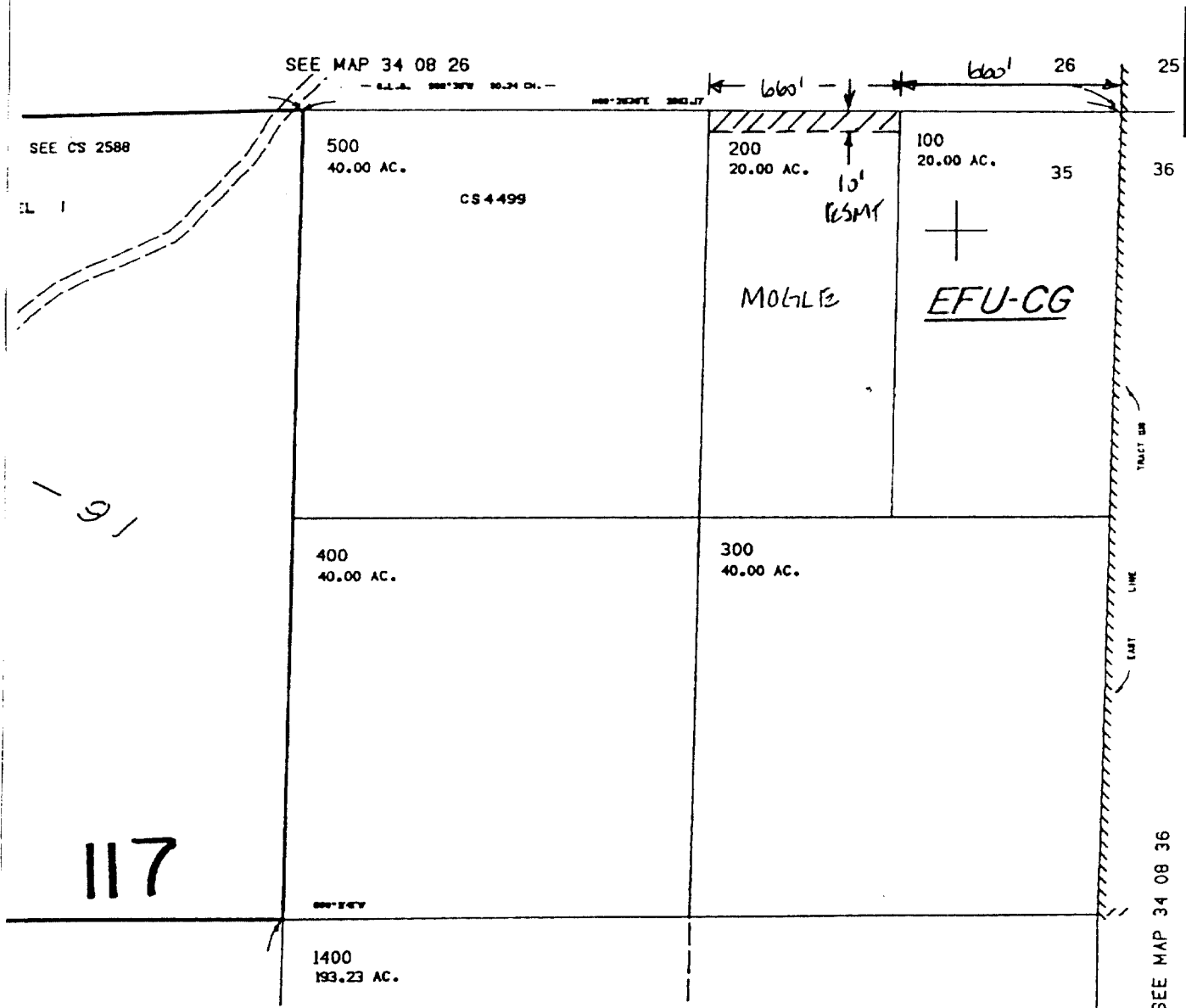


WITNESS my hand and official seal.

Peggy Idonas
SIGNATURE OF NOTARY

N

Section: 35 Township: 34S (N or S), Range: 8E (E or W) WILLAMETTE Meridian
County: CLATSOP State: OREGON
Parcel Number: _____



Drawn by: GARCIA

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.

SHEET 2 of 3

61123

Property Description

40651 Vol. 77 Page 245.3
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That CHARLES T. SARBER and ANNA L. SARBER, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by WILBUR MOGLE and KATHERN E. MOGLE, husband and wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

The West 1/2 NE 1/4 Section 35, Township 34 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

SUBJECT TO:

1. Rights of the Public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
2. Conditions and restrictions and omissions of restrictions imposed by instrument, record November 10, 1971 in Vol. 171, page 11/64, Microfilm Records of Klamath County, Oregon.
3. No liability is assumed if a financing statement is filed in the office of the County Clerk covering fixtures wherein the land is described other than by metes and bounds, the rectangular survey system or by recorded lot and block.

IN SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE

To Have and to Hold the same unto the said grantee 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 AS SET FORTH ABOVE 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 whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 16,000.00

~~However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).~~ (The sentence between the symbols ©, if not applicable, should be deleted. See ORS 93.030.)

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

In Witness Whereof, the grantor has executed this instrument this 28th day of November 1977. If a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

STATE OF WISCONSIN
County of Kenosha
December 13 1977

Personally appeared the above named Charles T. Sarber and Anna L. Sarber, husband and wife,

and acknowledged the foregoing instrument to be their voluntary act and deed

Before me: James F. Kraemer
(OFFICIAL SEAL)
Notary Public for Wisconsin
My commission expires: is permanent

STATE OF OREGON, County of _____
Personally appeared _____ and _____ who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of _____ a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf 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: _____
(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires: _____

CC#: 11176

WO#: 02558328

NAME: K. MOGLE

DRAWN BY: Garcia

EXHIBIT B**PacifiCorp**SCALE:
N.T.S

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