

M05-62209

08/18/2005 09:11:54 AM

Of Pages 4 Fee: \$36.00

RECORDING REQUESTED BY:

GRANTOR:Paul Boersma
GRANTOR:Laney Boersma

GRANTEE: PACIFICORP

09/ RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

RIGHT OF WAY EASEMENT

369

RECEIVED
MAR 02 2006
BY: JNB 12:25

Return to: Pacific Power
1950 Mallard Lane
Klamath Falls, Oregon 97601

CC#: 11176 WO#: 02551860

RIGHT OF WAY EASEMENT

For value received, Paul Boersma and Laney Boersma, ("Grantor"), hereby grants to PacificCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 20 feet in width and 100 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power 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, 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 SE 1/4 of Section 20, Township 39S, Range 12E, of the Willamette Meridian and more specifically described in Volume M95, Page 20768 in the official records of Klamath County.

Assessor's Map No. R-3912-02000-01100-000

Tax Parcel No. 1100

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 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 23rd day of Feb., 2005.

Paul Boersma
Grantor(s) Paul Boersma

Laney Boersma
Grantor(s) Laney Boersma

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } ss

On February 23, 2005 before me, Danise Brakeman, Notary Public
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Paul Boersma and Laney Boersma
Name(s) of Signer(s)

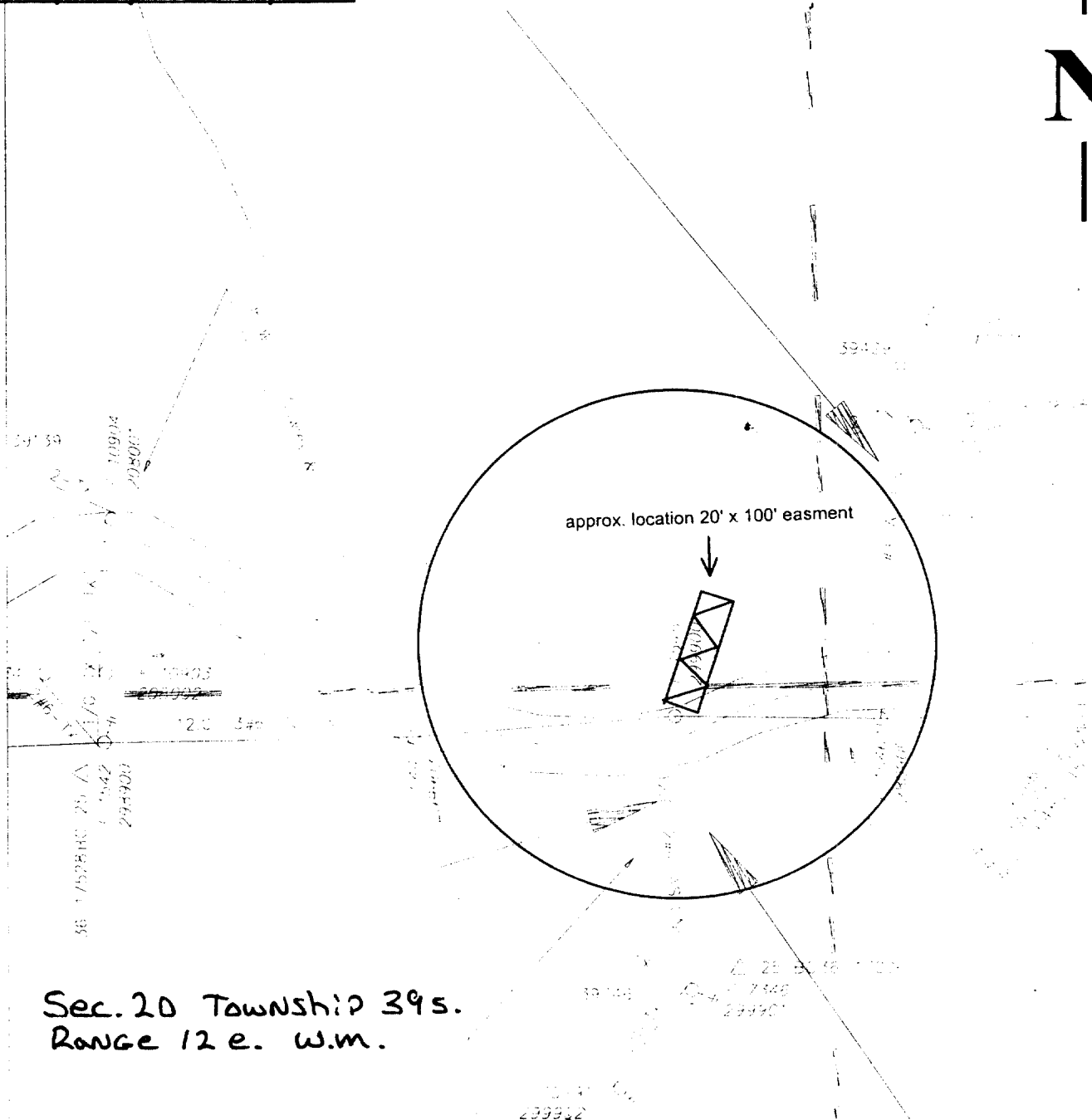
☒ personally known to me ~ OR ~ ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) 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.

Danise Brakeman
SIGNATURE OF NOTARY

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N
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Sec. 20 Township 39s.
Range 12e. W.M.

EXHIBIT A

PacifiCorp

SHEET 1 OF 2

STATUTORY WARRANTY DEED

UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO:

Paul and Lancy Boersma
7122 E. Langell Valley Road
Bonanza, OR 97623

AFTER RECORDING,
RETURN TO:

Con P. Lynch
P.O. Box 741
Salem, OR 97308-0741

PAUL BOERSMA and LANEY BOERSMA aka LENY BOERSMA, Grantors, convey and warrant to PAUL BOERSMA and LANEY BOERSMA, Trustees, or their successors in trust, under the PAUL & LANEY BOERSMA LIVING TRUST, dated March 14, 1995, and any amendments thereto, Grantee, the real properties in Klamath County, Oregon, described on the attached Exhibit A.

The true and actual consideration for this conveyance consists of or includes other property or value given as provided which is the whole consideration.

The liability and obligations of Grantors to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantors under any policy of title insurance issued to Grantee at the time Grantors acquired such property. The limitations contained herein expressly do not relieve Grantors of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTION STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

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Page 1 -

Statutory Warranty Deed
CREATED BY: JEFF BOERSMA

CC#: 11176

WO#: 002551860

NAME: Jeff Boersma

DRAWN BY: B. Olden

EXHIBIT B

PacifiCorp

SCALE:

SHEET 1 OF 2