

RECORDING REQUESTED BY:

GRANTOR: The Klamath Tribes
GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

M05-64843

Klamath County, Oregon

09/22/2005 10:36:52 AM

Pages 4 Fee: \$36.00

RIGHT OF WAY EASEMENT

36✓

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, The Klamath Tribes ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a non-exclusive easement for a right of way 16 feet in width and 708 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 attached hereto and by this reference made a part hereof:

Said property generally located in the SW of Section 34 Township 34S Range 7E of the Willamette Meridian and more specifically described in Volume M02 Page 43772 in the official records of Klamath County.

Assessor's Map No. R-3407-034CC-00100-000 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 5th day of August, 2005.

(Grantor)

Robert Hardy
(Grantor)

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

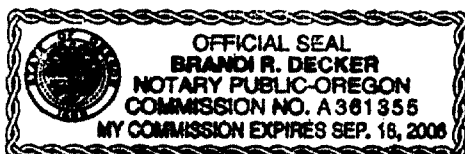
State of Oregon }

County of Klamath } ss

On August 5, 2005 before me, Robert Hardy
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Robert Hardy
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.

Brandi R. Decker
SIGNATURE OF NOTARY
my commission expires
9-18-06

Property Description



After recording return to:

Rich Rose, Klamath Tribes

3419 S. LAKE ST.
PRIDEMONT, OREGON 97532

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

Rich Rose, Klamath Tribes

SALES

Escrow No. K58995S

Title No. K58995-S

THIS SPACE RESERVED FOR RECORDER'S USE

Vol M02 Page 43772

State of Oregon, County of Klamath

Recorded 08/01/2002 3:39 P. M.

Vol M02, Pg 43772

Linda Smith, County Clerk

Fee \$ 21.00 # of Pgs 1

STATUTORY WARRANTY DEED

Marvin H. McLain and Loretta E. McLain, Individually and as Trustees of the Marvin H. McLain and Loretta E. McLain Revocable Living Trust, Grantor, conveys and warrants to The Klamath Tribes, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

The Northerly 386.8 feet of the following described property, measured along the West boundary thereof; all that portion of Government Lot 7, Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, lying Northwesterly of the Northwesterly right of way line of the Chiloquin-Williamson River Highway.

This property is free of 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 \$105,000.00 (Here comply with the requirements of ORS 93.030)

Dated this 30th day of July 2002

The McLain Revocable Living Trust

By Marvin H. McLain
Marvin H. McLain, Individual/Trustee

By Loretta E. McLain
Loretta E. McLain, Individual/Trustee

STATE OF OREGON
County of Klamath } ss.

This instrument was acknowledged before me on this 30th day of July, 2002
by Marvin H. McLain and Loretta E. McLain, Trustees of the Marvin H. McLain and Loretta E. McLain Revocable Living Trust



[Signature]
Notary Public for Oregon
My commission expires: 8-1-03

CC#: 11176

WO#: 02529659

NAME: KLAMATH TRIBES

DRAWN BY: GARCIA

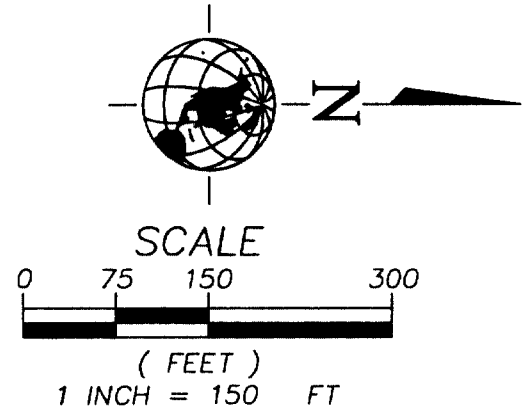
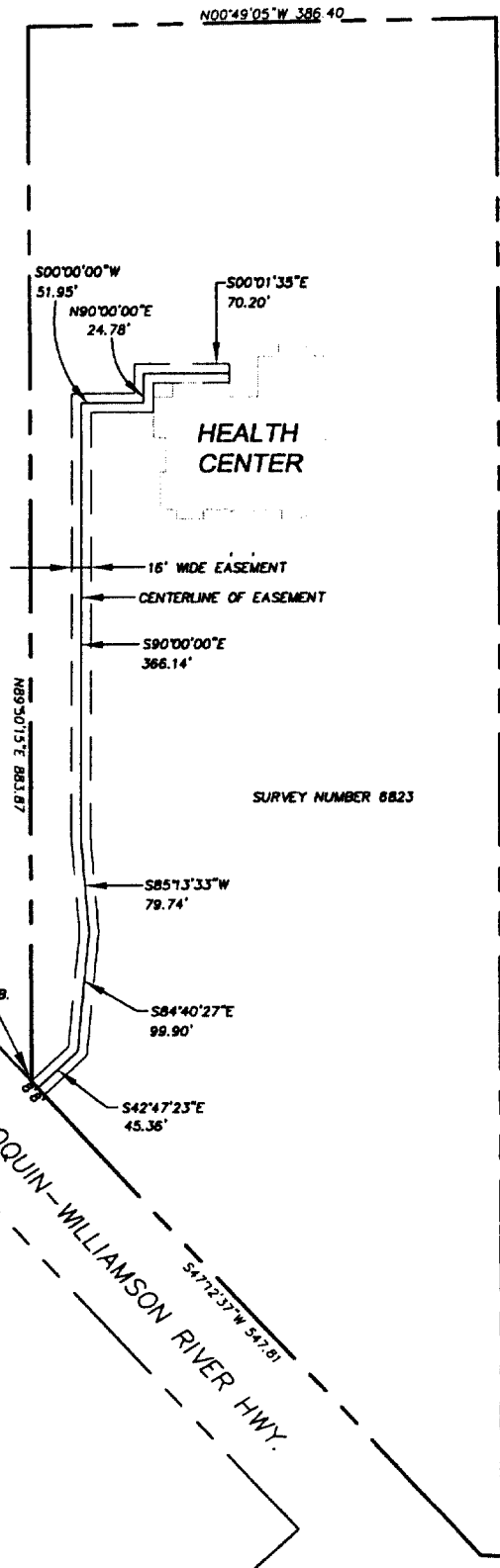
EXHIBIT B

PacifiCorp

SCALE:

SHEET 2 OF 2

T 34 S, R 7 E, SECTION 34



SURVEY NUMBER 6823

CHILOQUIN-WILLIAMSON RIVER HWY.

DESIGNED BY:	<u>DCB</u>	CHECKED BY:	<u>DCB</u>		
DRAWN BY:	<u>APM</u>	APPROVED BY:	<u>DCB</u>		
LAST EDIT:	<u> </u>	PLOT DATE:	<u>07/21/05</u>		
DATE	BY	REV	REVISION	CK'D	APPR



1004 Main St.
Klamath Falls, Oregon
97601-5813
(541) 888-2800
(541) 888-2806 Fax
w&hsurvey.com

KLAMATH TRIBAL HEALTH AND WELLNESS CENTER
PACIFIC POWER EASEMENT
EXHIBIT "A"

CHILOQUIN

SCALE:
1" = 150'

PROJECT NO
31723

DRAWING FILE NAME:
31723-LAND-EX03

1 SHEET 2 1

OREGON