

**M05-64846**

Klamath County, Oregon

09/22/2005 10:38:15 AM

Pages 4 Fee: \$36.00

RECORDING REQUESTED BY:

GRANTOR: Don Owens  
GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

DC: PACIFIC POWER  
1950 MALLARD LANE  
KLAMATH FALLS, OR 97601

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**RIGHT OF WAY EASEMENT**

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

CC#: 11176 WO#: 02645704

OVERHEAD RIGHT OF WAY EASEMENT

For value received, Don Owens, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 10 feet in width and 200 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, 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 E 1/2, SW 1/4 of Section 34, Township 38S, Range 9E, of the Willamette Meridian and more specifically described in Volume M01, Page 11291 in the official records of Klamath County.

Assessor's Map No. R-3809-034DC-00100-000

Tax Parcel No. 00100

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 13 day of June, 2005.

Don Owens  
Grantor(s) Don Owens

\_\_\_\_\_  
Grantor(s)

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }  
County of Klamath } ss

On June 13, 2005 before me, Janice WACHTER, Notary Public  
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Don Lee Owens  
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) 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.

Janice Wachter  
SIGNATURE OF NOTARY

# Property Description

01 MAR 21 11:14

MTS 53445-KR  
WARRANTY DEED

Vol. M01 Page 11291

JOHN L. SHAMA & PATRICIA L. SHAMA, TRUSTEES OF THE SHAMA FAMILY TRUST UTD JULY 25, 1996,  
Grantor(s) hereby grant, bargain, sell, warrant and convey to:  
DON L. OWENS and LAURA ANN OWENS, as tenants by the entirety,  
Grantee(s) and grantee's heirs, successors and assigns the following described  
real property, free of encumbrances except as specifically set forth herein in  
the County of Klamath and State of Oregon, to wit:  
SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION WHICH IS MADE A PART HEREOF  
ACCT #3803-034DC-00200 KEY #445487  
ACCT #3803-034DC-00100 KEY #445469

SUBJECT TO: all those items of record and those apparent upon the land, if  
any, as of the date of this deed and those shown below, if any;  
and the 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.

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 and actual consideration for this conveyance is pursuant to an IRC  
1031 exchange on behalf of Grantor and/or Grantee.

Until a change is requested, all tax statements shall be sent to Grantee at the  
following address: 705 S. Sixth St., Klamath Falls, OR 97601

Dated this 20th day of March, 2001.

THE SHAMA FAMILY TRUST

*John L. Shama, Trustee*  
*Patricia L. Shama, Trustee*

STATE OF Oregon SS. March 20 2001  
COUNTY OF Klamath

Personally appeared the above named JOHN L. SHAMA & PATRICIA L. SHAMA,  
Trustees of THE SHAMA FAMILY TRUST UTD July 25, 1996

and acknowledged the foregoing instrument to be their voluntary act.



Before me:  
*Kristin L. Reed*  
Notary Public for Oregon  
My commission expires 11/14/2003

(seal)

ESCROW NO. MTS3445-KR

Return to:  
DON L. OWENS & LAURA ANN OWENS

705 S. Sixth St.

Klamath Falls, OR 97601

CC#: 11176

WO#: 2645704

NAME: Don L. Owens

DRAWN BY: *Brian Alden*

**EXHIBIT B**

**PacifiCorp**

SCALE:  
NTS

SHEET 2 OF 2

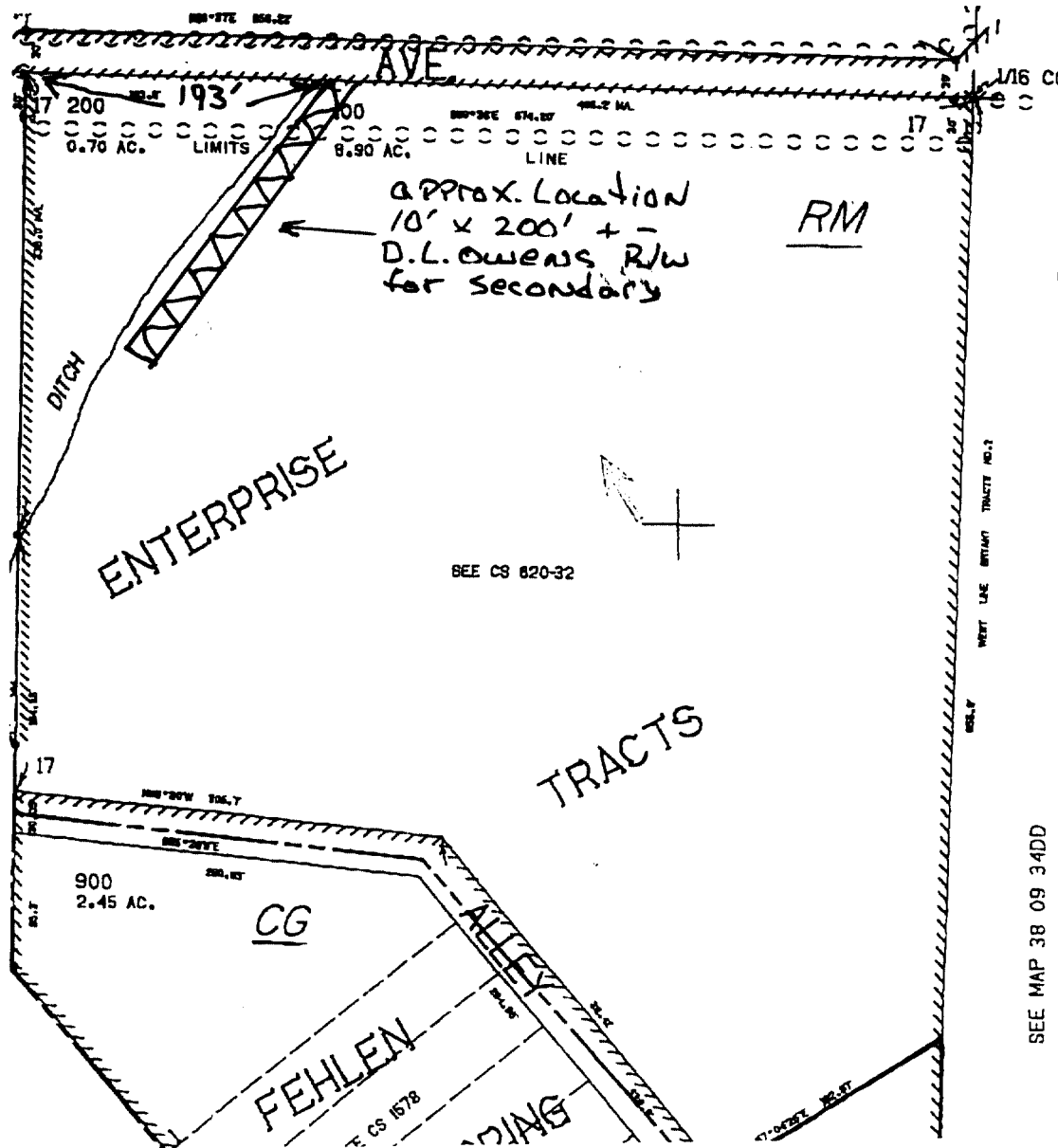
## Property Description

E 1/2 SW 1/4

Section: 34 Township: 38 (N or S) Range: 9 (E or W) Willamette Meridian

County: Klamath State: OR

Parcel Number: 00/00



# 11176 WO#: 264570Y

Landowner Name: DON L. OWENS

Drawn by: Bill Olden

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: NTS