

**M05-65920**

Klamath County, Oregon

10/06/2005 10:24:34 AM

Pages 4 Fee: \$36.00

RECORDING REQUESTED BY:

GRANTOR: JAMES E. HENRY

GRANTOR: LILLIAN ARLENE HENRY

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER

1950 MALLARD LANE

KLAMATH FALLS, OR 97601

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**RIGHT OF WAY EASEMENT**

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**RECEIVED**  
AUG 15 2005

BY: RT 1328

36✓

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

CC#: 11176 WO#: 2596530

RIGHT OF WAY EASEMENT

For value received, James E Henry and Lillian Arlene Henry, ("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 620 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 therefore; 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 N 1/2 of NE 1/2 of Section 5, Township 41S, Range 11E, of the Willamette Meridian and more specifically described in Volume M04, Page 42175 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 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

James E. Henry  
Grantor(s) JAMES E. HENRY

Lillian Arlene Henry  
Grantor(s) LILLIAN ARLENE HENRY

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of California }  
County of FRESNO } ss  
On 8-12-05 before me, DARRYL EVANS

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

personally appeared James E. Henry AND Lillian Arlene Henry  
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.

Darryl Evans  
SIGNATURE OF NOTARY

After Recording Return to:  
**JAMES E. HENRY and LILLIAN ARLENE HENRY**  
12559 Road 37 3/4  
Madera, CA. 93638-8672

State of Oregon, County of Klamath  
 Recorded 06/29/2004 2:21 p m  
 Vol M04 Pg 42175  
 Linda Smith, County Clerk  
 Fee \$ 21.00 # of Pgs 1

Until a change is requested all tax statements  
 Shall be sent to the address shown above.

**Aspen 59374 MA**  
**WARRANTY DEED**  
 (INDIVIDUAL)

**MARIE M. LYON**, hereinafter called Grantor, convey(s) to **JAMES E. HENRY and LILLIAN ARLENE HENRY**, husband and wife, hereinafter called Grantees, all that real property situated in the County of **KLAMATH**, State of Oregon, described as:

**Parcel 1 of Land Partition 27-03, Being a Replat of parcel 2 of minor partition # 80-53 situated in the E 1/2 Section 5, Township 41 South, Range 11 East Willamette Meridian.**

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except covenants, conditions, restrictions, reservations, rights, rights of way and easements of record, if any, and apparent upon the land, contracts and/or liens for irrigation and/or drainage

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is **\$75,000.00**.  
 (here comply with the requirements of ORS 93.930)

**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 June 21, 2004.

  
**MARIE M. LYON**

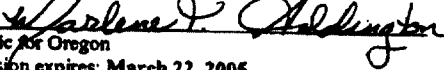
STATE OF OREGON, County of Klamath) ss.

On June 22, 2004, personally appeared the above named **MARIE M. LYON** and acknowledged the foregoing instrument to be her voluntary act and deed.

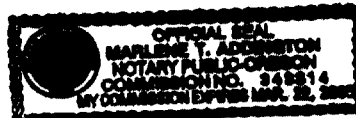
This document is filed at the request of:

  
**Aspen**  
 TITLE & ESCROW, INC.

525 Main Street  
 Klamath Falls, OR 97601  
 Order No.: 00859374

Before me:   
 Notary Public for Oregon  
 My commission expires: March 22, 2005

Official Seal



**EXHIBIT A**

E 1/2 of SECTION 5, T 41S, R 11E

SEE CS 2522

Property Description

WM

32

33

ANDERSON

EFU-C

1229.24'

100  
15.75 AC.

FR

5

4

200  
12.9 AC.

SEE CS 3153

LAND LOT  
PARCEL

40.70

90° 20'

900  
49.64 AC.

DODD'S HOLLOW ROAD

900

1100'

190'

CC#: 11176

WO#: 2596530

NAME: JAMES HENRY

DRAWN BY: DM

EXHIBIT B

PacifiCorp

SCALE:

SHEET

OF