

M05-65924

Klamath County, Oregon

10/06/2005 10:27:12 AM

Pages 5 Fee: \$41.00

RECORDING REQUESTED BY:

GRANTOR: Running Y, Inc.
GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

o/c
PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

RIGHT OF WAY EASEMENT

RECEIVED

BY: Q1FB

41 ✓
35 ✓

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

CC#: 11176 WO#: 02556708

OVERHEAD RIGHT OF WAY EASEMENT

For value received, Running Y, Inc., ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 20 feet in width and 2,480 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 _____ of Section 27, Township 38S, Range 8E, of the Willamette Meridian and more specifically described in Volume M94, Page 10526 and 10527 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 3RD day of MAY, 2005.

Craig B. Ditman
Grantor(s) Running Y, Inc.

Craig B. Ditman
Grantor(s)

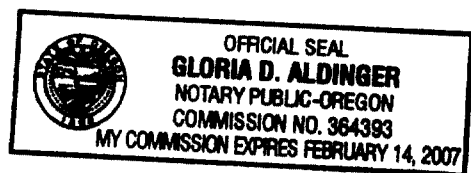
INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } ss

On May 3, 2005 before me, Gloria D. Aldinger, Notary Public
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Craig B. Ditman
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.

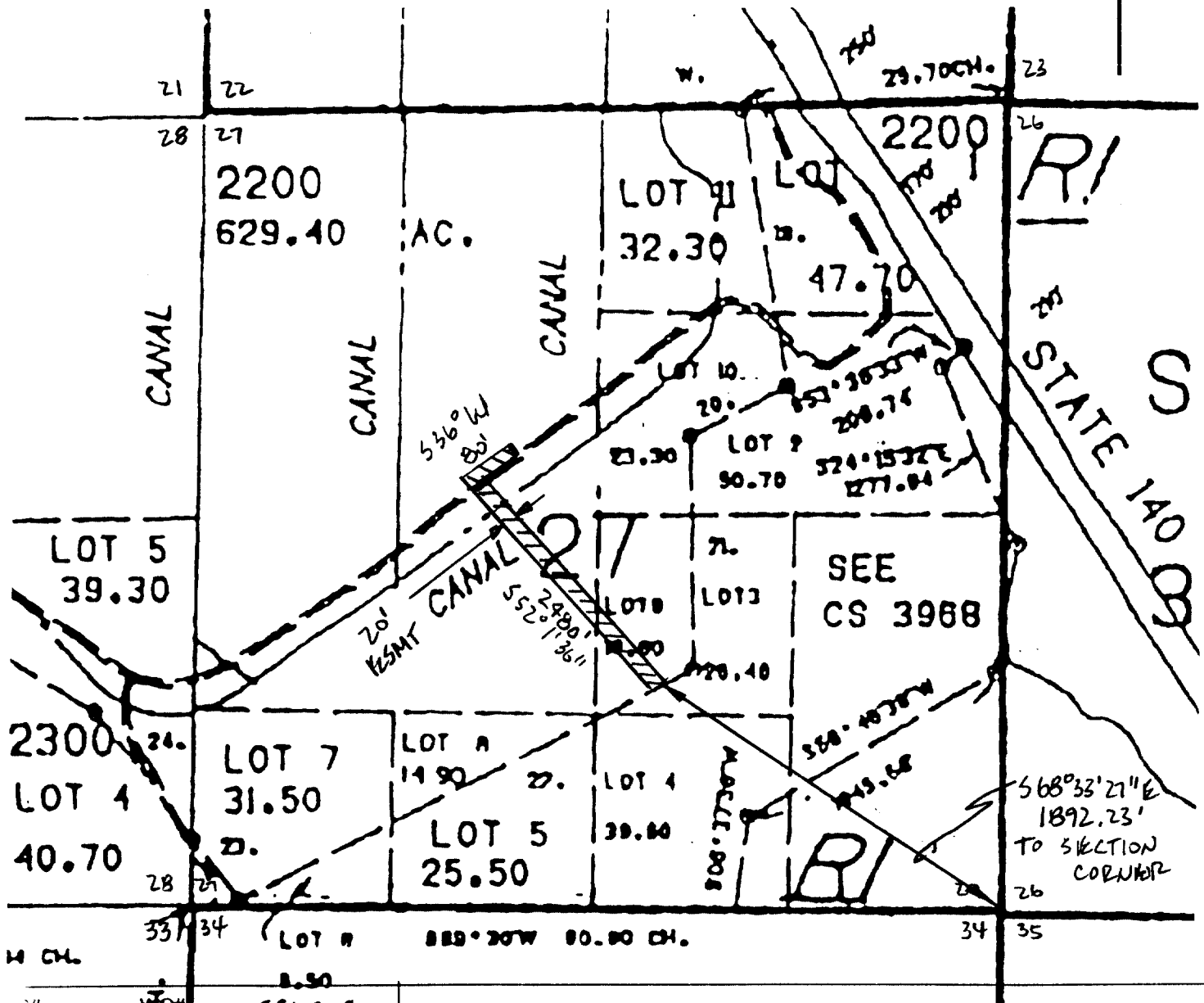
Gloria D. Aldinger
SIGNATURE OF NOTARY

Property Description

Section: 27 Township: 38 S (N or S), Range: 8 E (E or W) WILLAMETTE Meridian

County: KLAMATH State: OREGON

Parcel Number: _____



WO# 02556708
 Landowner Name: PUNNING "Y" INC
 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.

Property Description



04 78-94P01:29 RCVD
KLAMATH COUNTY TITLE COG. INV

MTG 32064
X-46212

Volume 94 Page 10526

STATUTORY WARRANTY DEED (Individual or Corporation)

SHAMROCK HOLDINGS OF CALIFORNIA, INC., a California Corporation
conveys and warrants to RUNNING Y, INC., an Oregon Corporation
the following described real property in the County of Klamath and State of Oregon.

SEE ATTACHED EXHIBIT "A"

This property is free of liens and encumbrances EXCEPT:
Subject to reservations and restrictions of record, rights of way, and easements
of record and those apparent upon the land, contracts and/o liens for irrigation
and/or drainage.

*AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST
FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.

The true consideration for this conveyance is \$ 7,010,400.00 (Here comply with the requirements of ORS 93.030')

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 THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO
VERIFY APPROVED USES.

DATED this 24 day of April 19 94 If a corporate grantor, it has caused its name to be signed by
resolution of its board of directors.

SHAMROCK HOLDINGS OF CALIFORNIA, INC.

BY: George Buchler, Chief Financial Officer BY: W. Randall Boggan, Vice President

STATE OF OREGON, County of _____ ss.
The foregoing instrument was acknowledged before me
this _____ day of _____ 19 _____
by _____

CORPORATE ACKNOWLEDGEMENT
STATE OF OREGON, County of _____ ss.
The foregoing instrument was acknowledged before me
this _____ day of _____ 19 _____
by _____ and
by _____
of _____
a corporation, on behalf of the corporation.

Notary Public for Oregon
My commission expires: _____

Notary Public for Oregon
My commission expires: _____

After recording return to:
Running Y, Inc.
3250 Lakeport Blvd.
Klamath Falls, Oregon 97601
PHONE ADDRESS ZIP

THIS SPACE RESERVED FOR RECORDER'S USE

CO#: 11176

WOF: 02556109

NAME: RUNNING Y INC.

DRAWN BY: GARCIA

EXHIBIT B

PacifiCorp

SCALE:
NTS

SHEET 2 OF 3

Property Description

10527

EXHIBIT "A" AMENDED LEGAL DESCRIPTION

PARCEL 1

Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Section 2: N 1/2 NE 1/4 and SW 1/4 NE 1/4

Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Section 35: All that portion of said section lying South and West of the Orindale Draw State Highway.

Section 26: W 1/2

Section 23: SW 1/4 SW 1/4

Section 34: SE 1/4, E 1/2 SW 1/4, NW 1/4, N 1/2 NE 1/4, SW 1/4 NE 1/4

→ Section 27: All

Section 22: All, EXCEPT portion of NE 1/4 NE 1/4 lying North and East of the following described line:

Beginning at the Northeast corner of Lot 3 of said Section 22; thence North 1435 feet to the center of "Neck"; thence North 38 degrees 51' West 4145 feet following Neck to intersection with North-South center line of Section 15, ALSO excepting the N 1/2 SW 1/4 NE 1/4

Section 15: W 1/2, and the portion of SE 1/4 lying South and West of the following line:

Beginning at the Northeast corner of Lot 3 of Section 22 thence North 1435 feet to the center of "Neck"; thence North 38 degrees 51' West 4145 feet following Neck to intersection with North-South center line of said Section 15.

Section 10: S 1/2 SW 1/4

Section 28: SE 1/4 SE 1/4, N 1/2 SE 1/4, E 1/2 NW 1/4, and the portion of W 1/2 NW 1/4 North of Government Meander line through said Section 28; NE 1/4

Section 21: All

Section 16: All

Section 9: S 1/2 S 1/2, NW 1/4 SW 1/4

Section 29: The portion of NE 1/4 NE 1/4 North of Government Meander line through Section 29.

Section 20: The portion of SE 1/4 North of Government Meander line: portion of W 1/2 North and East of Government Meander line, and NE 1/4

Section 36: All that portion of said section lying South and West of the Orindale Draw State Highway.

CC#: 11176

WO#: 02556708

NAME: RUNNING "Y" INC.

DRAWN BY: LARCIA

EXHIBIT B

PacifiCorp

SCALE:
NTS

SHEET 3 OF 3