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:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

RIGHT OF WAY EASEMENT

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:

of Section 27, Township 38S, Range 8E, of the Willamette Meridian and more Said property generally located in the 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.

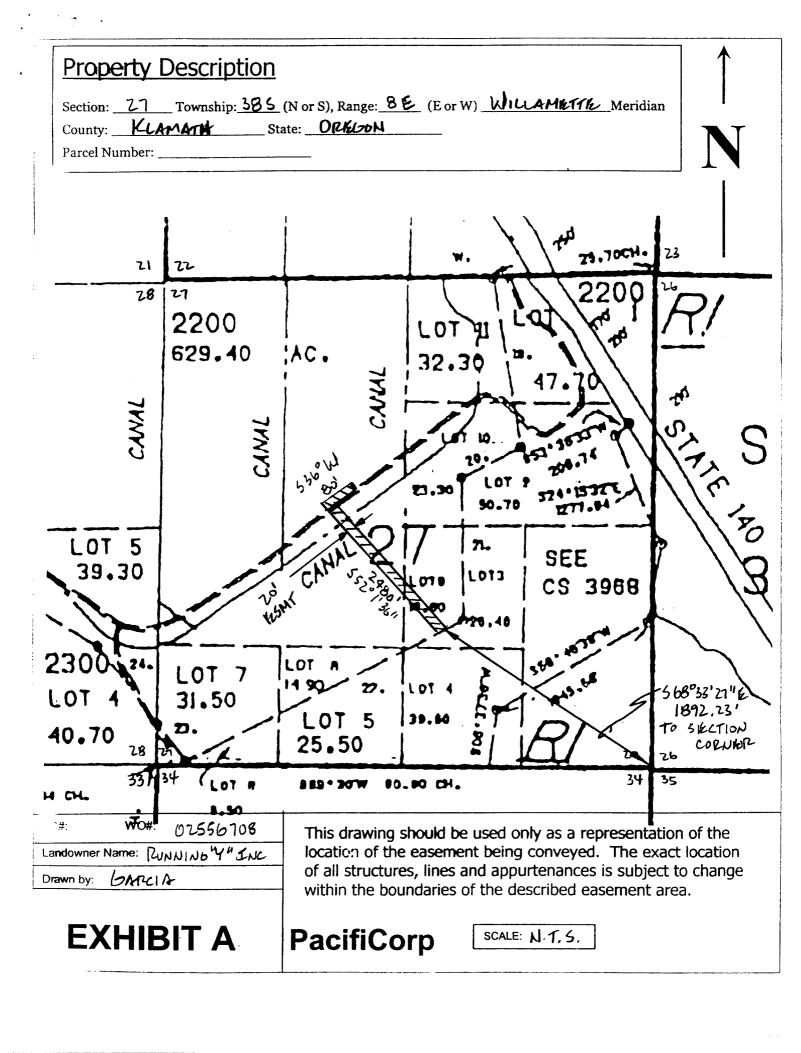
At no time shall Grantor place, use or permit any equipment or material of any kind that exceeds twelve (12) feet in height, light any fires, place or store any flammable materials (other than agricultural crops), on or within the boundaries of the right of way. Subject to the foregoing limitations, 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 3 29 day of May , 2005.

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

county of <u>Klamat</u>	٨	} ss }	Gloria D. Aldenger, Notary Rubl
on May 3, 200	5	before me,_	Name, Title or Officer (eg Jane Doe, Notary Public)
personally appearedName(s)	of Signer(s)	Ditman	
	~ OR ~	name(s) is/are su he/she/they exec his/her/their signa	the basis of satisfactory evidence to be the person(s) whose abscribed to the within instrument and acknowledged to me that cuted the same in his/her/their authorized capcity(ies) and that by ature(s) on the instrument the person(s), or the entity upon behalf (s) acted, executed this instrument

OFFICIAL SEAL GLORIA D. ALDINGER NOTARY PUBLIC-OREGON COMMISSION NO. 364393 MY COMMISSION EXPIRES FEBRUARY 14, 2007 WITNESS my hand and official seal.



Property Description Human Calify Title Con. Any



Vcl.m94 Page 10526

STATUTORY WARRANTY DEED

THE BYE CONSIDERATION for this conveyance is \$ 7.010.400.00 (Here comply with the requirements of ORS \$3.030 THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT. THE PERSON ACCURRING THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT SERIFY APPROVED USES. OATED this	This propert 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 UNITS ON LINGUISTS ACCORDING ANY UNITS ON LINGUISTS ACCORDING ON THIS INSTRUMENT IN THIS INSTRUMENT IN THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND RECULATIONS BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT. THE PERSON COURING THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO EXERCISE ANY AND APPLICABLE LAND USE LAWS AND RECULATIONS BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT. THE PERSON COURING THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO EXERCISE ANY APPROVED USES. **APPLICABLE LAND USE LAWS AND RECULATIONS BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT. THE PERSON COUNTY OF COUNTY PLANNING DEPARTMENT THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT THE PROPERTY AND ANY OF COUNTY PLANNING DEPARTMENT THE PROPERTY OF CALLFORNIA, INC. **SHARKER'S HOLDINGS OF CALLFORNIA, INC. **SHARKER'S HOLDINGS OF CALLFORNIA, INC. **STATE OF ORECON, County of 19		ounty of Klamath	and State of Oregon	_ , Gramu L
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com: 11116

WON: 02556708

NAME: RUNNING Y INC.

DRAWN BY: GARCIA

EXHIBIT B

PacifiCorp

SCALE:

SHEET

2

3

Property Description

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#: 0255670B

NAME: PUNNING MY" ENC.

DRAWN BY: LARCIA

PacifiCorp

SCALE: SHEET OF 3

EXHIBIT B