

M05-68790

Klamath County, Oregon

11/10/2005 09:18:41 AM

Pages 4 Fee: \$36.00

RECORDING REQUESTED BY:

GRANTOR: Lee F. Brooks
GRANTOR: Toni K. Brooks

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

RIGHT OF WAY EASEMENT

RECEIVED

SEP 14 2005

BY: R7C 1024

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

CC#: 11176 WO#: 2642933

OVERHEAD RIGHT OF WAY EASEMENT

For value received, Lee F. Brooks and Toni K. Brooks, ("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 100 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 NE of Section 5, Township 35S, Range 7E, of the Willamette Meridian and more specifically described in Volume M05, Page 27203 in the official records of Klamath County.

Assessor's Map No. 3507-00500-00200

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 16 day of Sept, 2005.

Lee F. Brooks
Grantor(s) Lee F. Brooks

Toni K. Brooks
Grantor(s) Toni K. Brooks

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } ss

On September 16, 2005 before me, Rita F. Collins
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Lee F Brooks and Toni K. Brooks
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

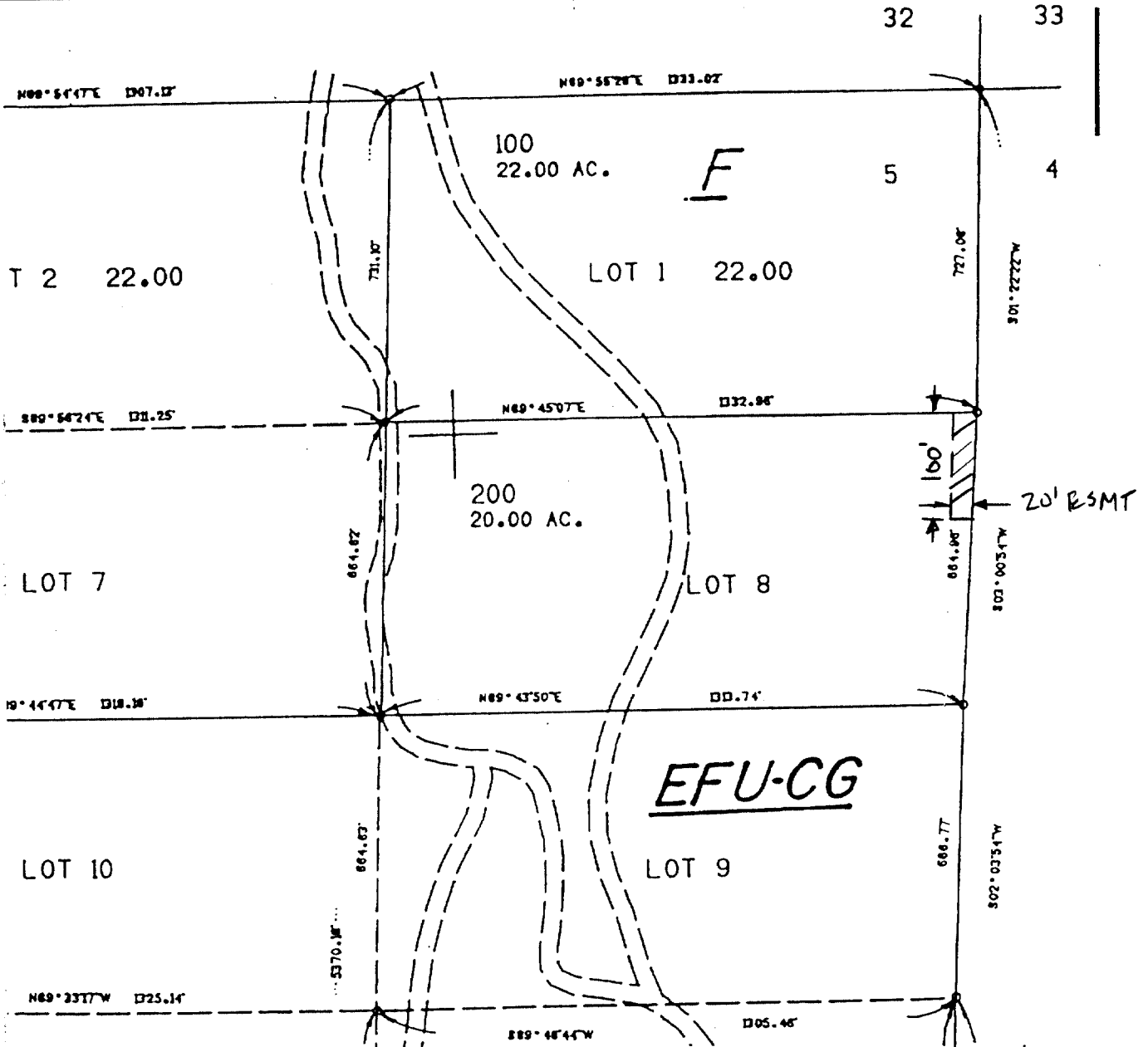
WITNESS my hand and official seal.



Rita F. Collins
SIGNATURE OF NOTARY

Property Description

Section: 5 Township: 35S (N or S), Range: 7E (E or W) WILLAMETTE Meridian
 County: KLAMATH State: OREGON
 Parcel Number: 3557-00500-00200



CL#: 11176 WO#: 02642933

Landowner Name: LILL F. BROOKS

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.

SHEET 2 of 3

Property Description

Vol M05 Page 27203

After Recording Return to:
LEE F. BROOKS
4812 W. 14TH AVE.
KENNEWICK, WA. 99338
Until a change is requested all tax statements
Shall be sent to the following address:
Same as above

State of Oregon, County of Klamath
Recorded 04/19/2005 10:56 a.m.
Vol M05 Pg 27203-04
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

Aspen 60797ms
WARRANTY DEED
(INDIVIDUAL)

ROBERT C. CRAIG, herein called grantor, convey(s) to LEE F. BROOKS AND TONI K. BROOKS, TRUSTEES OF THE BROOKS LIVING TRUST, herein called Grantee, all that real property situated in the County of KLAMATH, State of Oregon, described as:

See Exhibit A attached hereto and made a part hereof.

Exhibit A

Lot 8 of Section 5, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

TOGETHER WITH a non-exclusive easement for ingress and egress over and across the Westerly 30 feet of Government Lots 4 and 5 in Section 4, Township 35 South, Range 7 East of the Willamette Meridian, as described in "General Easement Agreement" recorded January 18, 2005 in Volume M-05 at Page 3542, Records of Klamath County, Oregon.

AND TOGETHER WITH a non-exclusive easement for ingress and egress 30 feet in width, over and across a portion of the Northwest quarter of Section 9 and a portion of the West half of Section 4, all in Township 35 South, Range 7 East of the Willamette Meridian, as described in "General Easement Agreement" recorded January 18, 2005 in Volume M-05 at Page 3547, Records of Klamath County, Oregon.

CODE 138 MAP 3507-00500 TL 00200 KEY #218552

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 February 15, 2005.



ROBERT C. CRAIG

STATE OF UTAH, County of Salt Lake ss.

On February 22, 2005 personally appeared the above named ROBERT C. CRAIG and acknowledged the foregoing instrument to be his voluntary act and deed.

CC#: 11176

WO#: 02642933

NAME: LEE F. BROOKS

DRAWN BY: LARCIA

EXHIBIT B

PacifiCorp

SCALE:
NTS

SHEET 3 OF 3