

RECORDING REQUESTED BY:

GRANTOR: Darrel W. Mitchell
GRANTOR: Kelly A. Mitchell

o/c GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

M05-70216

Klamath County, Oregon

12/01/2005 11:17:30 AM

Pages 4 Fee: \$36.00

RIGHT OF WAY EASEMENT

RECEIVED

BY: *JP 15154*

36

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, Darrel W. Mitchell and Kelly A. Mitchell ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a non-exclusive easement for a right of way 10 feet in width and 280 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of an underground electric distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: fibers, cables and other conductors and conduits therefore; and pads, transformers, switches, vaults on, across, 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 SE 1/4 of Section 6 Township 39S Range 10E of the Willamette Meridian and more specifically described in Volume M04 Page 44194 in the official records of Klamath County.

Assessor's Map No. 3710-006D0-3200-000

Tax Parcel No. 890230

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 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, 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 27 day of September, 2005.

[Signature]
(Grantor) Darrel W. Mitchell

[Signature]
(Grantor) Kelly A. Mitchell

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

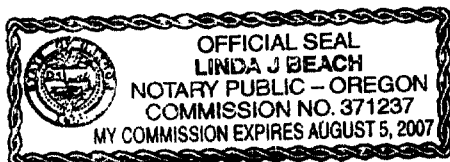
State of OREGON }

County of KLAMATH } ss }

On TUESDAY SEPTEMBER 27, 2005 before me, LINDA J. BEACH
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared DARREL W. MITCHELL AND KELLY A. MITCHELL
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

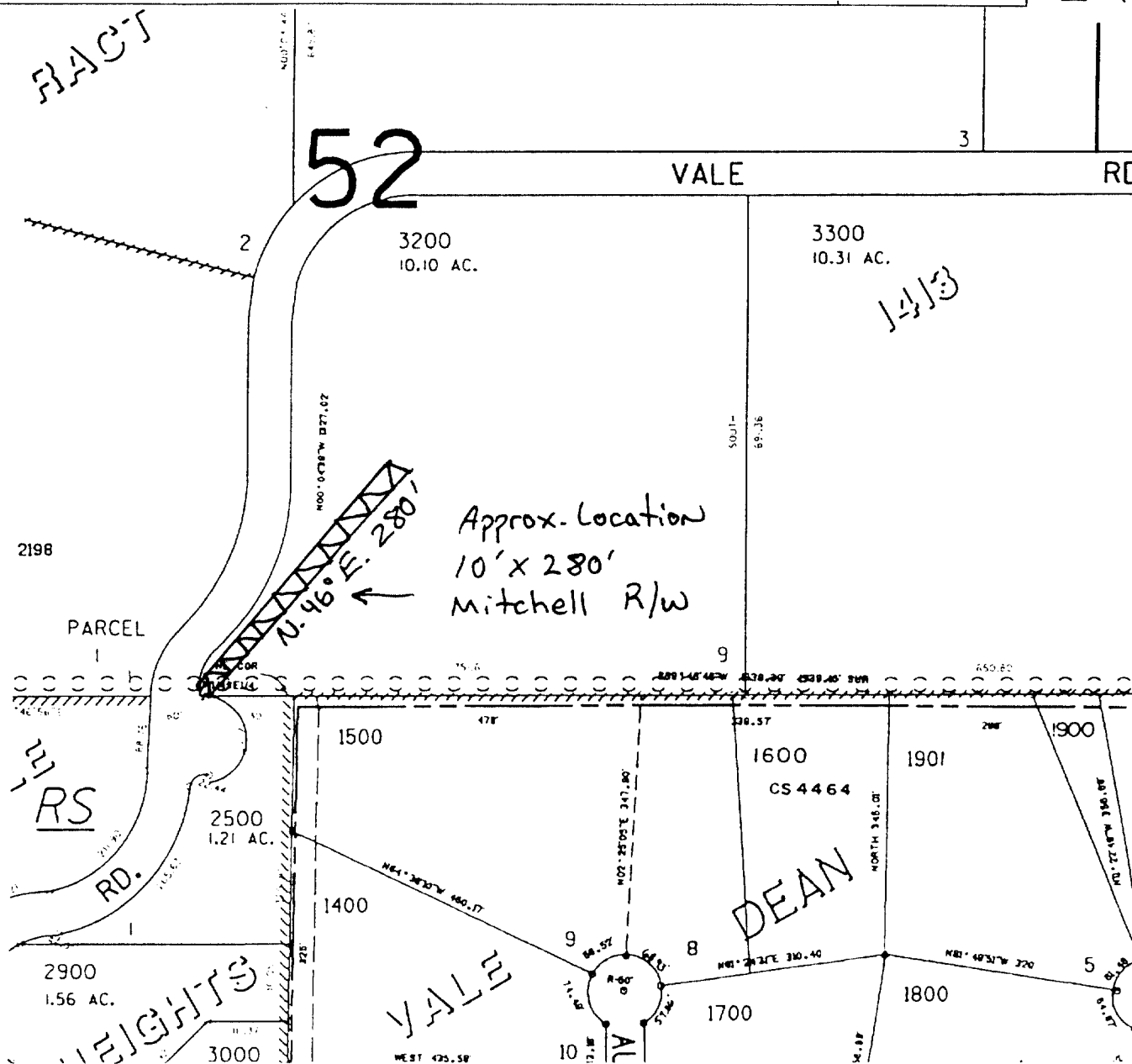


WITNESS my hand and official seal.

[Signature]
SIGNATURE OF NOTARY

Property Description

Section: SE 1/4 6 Township: 39 S (N or S), Range: 10 E (E or W) Willamette Meridian
 County: Klamath State: OR
 Parcel Number: _____



CC#: 11176 WO#: 002696676
 Landowner Name: D. Mitchell
 Drawn by: Jim 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

Property Description

UL 6 PM 3:39

AmeriTitle
Part Of The FLD-WDN Family

MTC- 64294 MS

Vol M04 Page 44194

State of Oregon, County of Klamath
Recorded 07/06/2004 3:39 PM
Vol M04 Pg 44194
Linda Smith, County Clerk
Fee \$ 2.00 # of Pgs 1

THIS SPACE RESERVE

After recording return to:
Darrel W. Mitchell
14130 Matney Road
Klamath Falls, OR 97603

Until a change is requested all
tax statements shall be sent to
The following address:

Darrel W. Mitchell
14130 Matney Road
Klamath Falls, OR 97603

Escrow No. MT64294-MS

STATUTORY WARRANTY DEED

Robert A. Stewart and Marilyn J. Stewart, as tenants by the entirety, Grantor(s) hereby convey and warrant to Darrel W. Mitchell and Kelly A. Mitchell, as tenants by the entirety, Grantee(s) the following described real property in the County of KLAMATH and State of Oregon, free of encumbrances except as specifically set forth herein:

Lot 9 in TRACT 1413, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Tax Account No: 3910-006D0-03200-000

Key No: 890230

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is \$126,250.00.

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 this 17th day of July, 2004

Robert A. Stewart
Robert A. Stewart

Marilyn J. Stewart
Marilyn J. Stewart

State of Oregon
County of KIAMATH

This instrument was acknowledged before me on July 17th, 2004 by ROBERT A STEWART and MARILYN J STEWART



Suzie Mollett
(Notary Public for Oregon)
My commission expires 11/14/2004

CC#: 11176

WO#: 026966760

NAME: D. Mitchell

DRAWN BY: Bill Alden

EXHIBIT B

PacifiCorp

SCALE:

NTS

SHEET

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OF

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