

M06-01143

Klamath County, Oregon

01/19/2006 02:59:03 PM

Pages 5 Fee: \$41.00

RECORDING REQUESTED BY:

GRANTOR: P & E Rentals, LLC

GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

dc

RIGHT OF WAY EASEMENT

2.11-

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

CC#: 11176 WO#: 02732995

OVERHEAD RIGHT OF WAY EASEMENT

For value received, P & E Rentals LLC, ("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 1636 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 attached hereto and by this reference made a part hereof:

Said property generally located in the NW 1/4 of Section 16, Township 39S, Range 9E, of the Willamette Meridian and more specifically described in Volume M01, Page 10569 in the official records of Klamath County.

Assessor's Map No. 3909-16BO Tax Parcel No. 2000

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 12 day of 19, 2005.

Pete O'Neil
Grantor(s) P & E RENTALS LLC

Grantor(s)

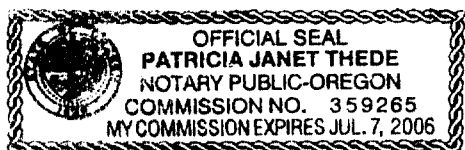
INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } ss

On December 19, 2005 before me, Patricia Janet Thede
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Pete O'Neil
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.

Patricia Janet Thede
SIGNATURE OF NOTARY

Property Description

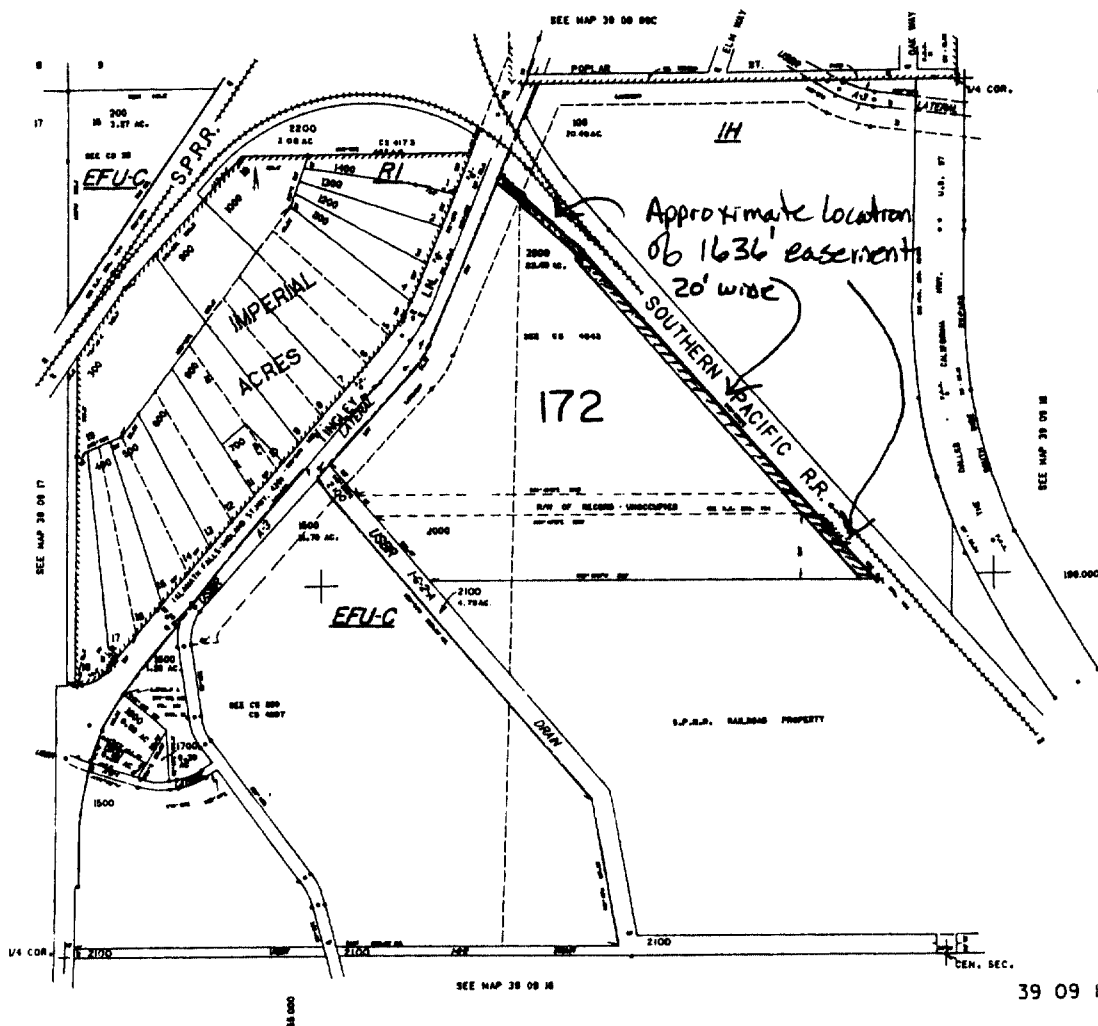
Section: 16 Township: 39 (N or S), Range: 9 (E or W) Willamette Meridian
 County: Klamath State: OREGON
 Parcel Number: 2000



THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

11177 SEC. 16 T.39S. R.9E. W.M.
 KLAMATH COUNTY
 1"=600'

39 09 16B



39 S 9E
 16B

39 09 16B

CC#: 11176 WO#: 2732995
 Landowner Name: P+R RENTALS LLC
 Drawn by: M. Collins

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: None

Property Description

10442

14511

EXHIBIT "A" CONTINUED

10441

PARCEL 2:

14510

EXHIBIT "A"

PARCEL 1:

That certain parcel of land situated in the NW 1/4 of Section 16, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at the point of intersection of a line concentric with and distant 50 feet Southwesterly, measured radially from the original located "D" center line of Southern Pacific Transportation Company's main track (Klamath Falls to Flanigan) with the Easterly line of the United States Reclamation Service Drain Ditch, 1-G-2; thence Southwesterly and Southeasterly along said Easterly line on the courses and curvature thereof as follows: South 23 degrees 09' West 580 feet to a point; Southwesterly on a curve to the right, having a radius of 166.84 feet, and a central angle of 17 degrees 55' (tangent to said curve at last mentioned point is last described course), an arc distance of 114.71 feet to a point, South 41 degrees 04' West tangent to said curve at last mentioned point 377 feet, and South 40 degrees 35' 15" East 125 feet to the Northerly line of that certain 60 foot wide, unoccupied County Road (of Record), as said road existed prior to the year of 1929; thence leaving said Easterly line South 89 degrees 43' 15" East along said Northerly line 1305 feet to a line parallel and concentric with and distant 50 feet Southwesterly, measured radially and at right angles, from said center line; thence Northwesterly along said parallel and concentric line 1321 feet to the point of beginning.

That certain parcel of land situated in the NW 1/4 of Section 16, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Commencing at the point of intersection of a line concentric with and distant 50 feet Southwesterly, measured radially from the original located "D" center line of Southern Pacific Transportation Company's main track (Klamath Falls to Flanigan) with the Easterly line of the United States Reclamation Service Drain Ditch, 1-G-2; thence Southwesterly and Southeasterly along said Easterly line on the courses and curvature thereof as follows: South 23 degrees 09' West 580 feet to a point; Southwesterly on a curve to the right, having a radius of 166.84 feet, and a central angle of 17 degrees 55' (tangent to said curve at last mentioned point is last described course), an arc distance of 114.71 feet to a point, South 41 degrees 04' West tangent to said curve at last mentioned point 377 feet and South 40 degrees 35' 15" East 205 feet to the Southerly line of that certain 60 foot wide, unoccupied County Road (of Record), as said road existed prior to the year of 1929, and the true point of beginning of the parcel to be described; thence leaving said Easterly line South 89 degrees 43' 15" East along said Southerly line 1305 feet to a line parallel with and distant 50 feet Southwesterly, measured at right angles, from said center line; thence South 40 degrees 35' 15" East along said parallel line 264.47 feet to a line parallel with and distant 200 feet Southerly, measured at right angles, from the Easterly prolongation of said Southerly line; thence North 84 degrees 43' 15" West along last said parallel line and the Westerly prolongation thereof 1305 feet to said Easterly line herein above described as having a bearing of South 40 degrees 35' 15" East; thence North 40 degrees 35' 15" West along said Easterly line, 264.47 feet to the true point of beginning.

PARCEL 3:

A parcel of land situated in the NW 1/4 of Section 16, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and being a portion of a 60 foot wide strip of land described in Book 79 at Page 145, Deed Records of Klamath County, Oregon. Said parcel being more particularly described as follows:

All of the portion of said 60 foot strip lying between the Easterly line of the United States Reclamation Service Drain, as described in said Deed, and the Westerly right of way of the Southern Pacific Railroad, Bieber Line.

CODE 172 MAP 3909-1680 TL 2000
CODE 172 MAP 3909-1680 TL 2000-A1
CODE 172 MAP 3909-1680 TL 2000-A2

State of Oregon, County of Klamath
Recorded 03/15/01, at 11:54 a.m.
In Vol. M01 Page 1044
Linda Smith
County Clerk Fees 3/00

Continued on next page

CC#: 11174

WO#: 2732995

NAME: P. & E. RENTALS LLC

DRAWN BY: M. Collins

EXHIBIT B

PacifiCorp

SCALE:

NONE

SHEET

3

OF

4

Property Description

01 APR 9 11:20 ASPEN 52414
200 MAR 15 11:39

Aspen
TITLE & ESCROW, INC.
525 Main Street
Klamath Falls, Oregon 97601
Phone (541) 884-5137 • Fax (541) 883-9068

Vol. MO1 Page 10110
Vol. MO1 Page 11509

After recording return to:

Bargain and Sale Deed
Peter R. O'Neill and Esther Y. O'Neill, as tenants by the entirety
Grantor, conveys to
P & E Rentals, LLC
Grantee, the following described real property, situated County of Klamath, State of Oregon, described as follows:

See Attached Exhibit "A"

This Document is being rerecorded to remove the tax account number for improvements located on the subject property.

The true consideration for this conveyance is \$ -2800- (here comply with the requirements of ORS 93.111)

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: March 8, 2001

Peter R. O'Neill *Esther Y. O'Neill*
State of Oregon, County of Klamath Jss:

This instrument was acknowledged before me on the 8th day of March, 2001
by

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

Catherine L. Smeltzer
Notary Public for the State of Oregon
My commission expires July 5, 2002



CC#: 11176
WO#: 2732995
NAME: P.+E. Rentals LLC
DRAWN BY: M. Collins

EXHIBIT C

PacifiCorp

SCALE:

NONE

SHEET

4

OF

4