

M06-03569

Klamath County, Oregon

02/27/2006 12:23:35 PM

Pages 4 Fee: \$36.00

RECORDING REQUESTED BY:

GRANTOR: Klamath Tribes

GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

Pt. PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

RIGHT OF WAY EASEMENT

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, the Klamath Tribes ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a non-exclusive easement for a right of way 40.0 feet in width and 835.58 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 attached hereto and by this reference made a part hereof:

Said property generally located in the southwest quarter of Section 16 Township 35 South Range 7 East of the Willamette Meridian and more specifically described in Volume M 99 Page 17616 in the official records of Klamath County.

Assessor's Map No. 35-07-16 Tax Parcel No. 1400

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 24 day of Jan, 2006.

[Signature]
(Grantor)

(Grantor)

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }

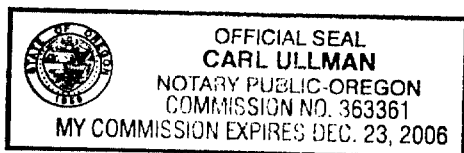
County of Klamath } ss

On Jan 24, 2006

before me, CARL ULLMAN
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Allen Foreman
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

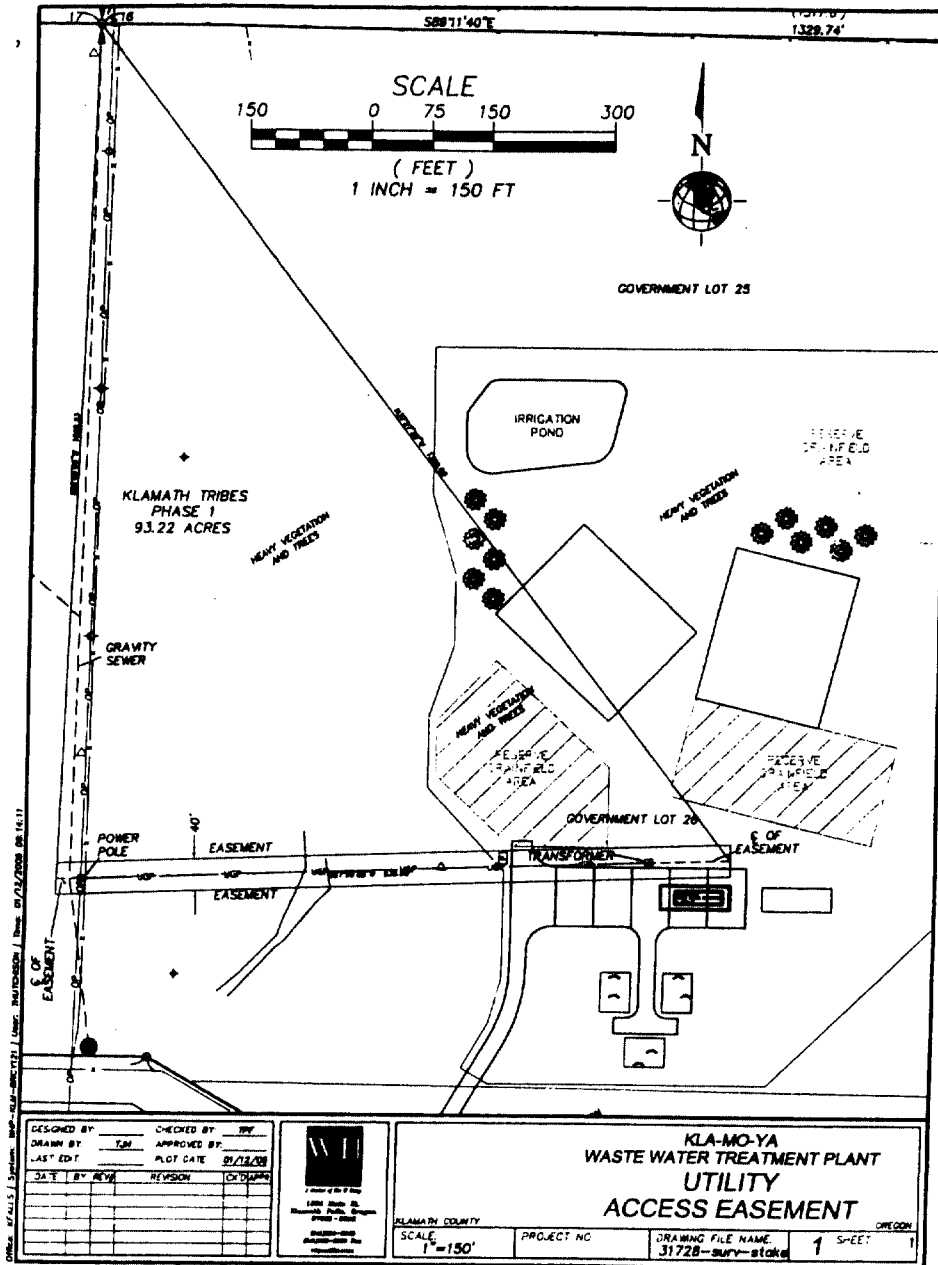


WITNESS my hand and official seal.

[Signature]
SIGNATURE OF NOTARY

Property Description

Section: 16 Township: 35 (N or S) Range: 7 (E or W) Willamette Meridian
 County: Klamath State: OR
 Parcel Number: 1400



#11176 WO#: 02628041

Landowner Name: Klamath Tribes

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

EXHIBIT "B" Utility Easement January 2006

A STRIP OF LAND 40 FEET IN WIDTH, LYING 20 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, SITUATED IN GOVERNMENT LOT 24 OF SECTION 17 AND GOVERNMENT LOT 26 OF SECTION 16, TOWNSHIP 35 SOUTH, RANGE 7 EAST, WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE ONE-QUARTER CORNER COMMON TO SECTIONS 16 AND 17 OF SAID TOWNSHIP AND RANGE; THENCE SOUTH 02°05'06" WEST, 1069.23 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 87°59'09" EAST, 835.58 FEET TO A POINT WHICH BEARS SOUTH 37°27'29" EAST, 1309.09 FEET FROM SAID ONE-QUARTER CORNER AND THE END OF THE CENTERLINE; SIDELINES ARE LENGTHENED OR SHORTENED TO TERMINATE PERPENDICULAR TO THE END OF THE CENTERLINE.

SAID STRIP CONTAINS 0.77 ACRES, MORE OR LESS.

BEARINGS ARE BASED UPON FOUND MONUMENTATION.

CC#: 11176

WO#: 02628041

NAME: Klamath Tribes

DRAWN BY: M. Collins

EXHIBIT B

PacifiCorp

SCALE:

None

SHEET 3 OF 3