## M06-04076

Klamath County, Oregon 03/06/2006 12:25:25 PM Pages 5 Fee: \$41.00

RECORDING REQUESTED BY:

GRANTOR: TAYLOR E. HIGH GRANTOR: BETTY J. HIGH

**GRANTEE: PACIFICORP** 

**RETURN TO:** 

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

**RIGHT OF WAY EASEMENT** 

BY: MU 1636

Return to: Pacific Power 1950 Mallard Lane

Klamath Falls, Oregon 97601

CC#: 11176 WO#: 02648060

## OVERHEAD RIGHT OF WAY EASEMENT

For value received, TAYLOR E. HIGH and BETTY J. HIGH, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 10 feet in width and 15 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 E 1/2 of E 1/2 of Section 13, Township 39 S, Range 10 E, of the Willamette Meridian and more specifically described in Volume M94, Page 29524 in the official records of Klamath County.

Assessor's Map No. R-3911-V1900-00401-000

Tax Parcel No. 00401

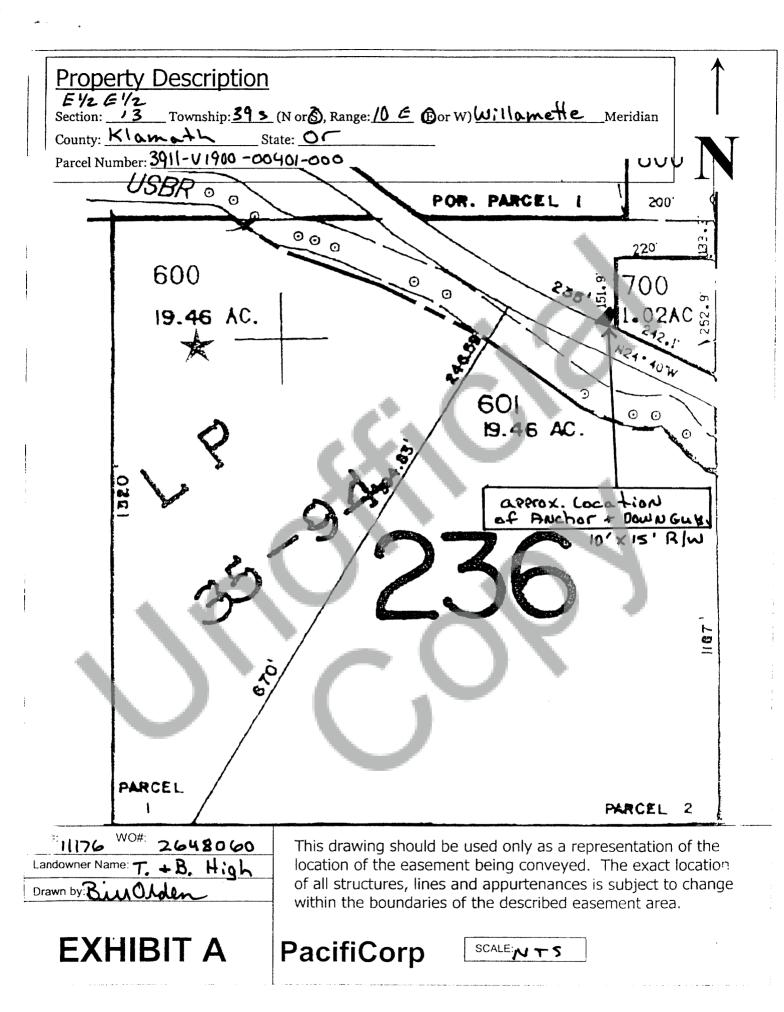
Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefore) the future right to keep the right of way and adjacent lands 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 2/37 day of OCT , 2005.  Grantor(s)TAYLOR E. HIGH  INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT  State of OREGON  State of KLAMATH  On OCT DI JCO5  before me, KENEF GUNARI, NOTARY PUBLIC  Name, Title or Officer (eg Jane Doe, Notary Public)  personally appeared AYCCR E. HIGH  Name(s) of Signer(s)  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 capcity(ies) and that by		I I II I I I I I I I I I I I I I I I I
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which the person(s) acted, executed this instrument

WITNESS my hand and official seal.



# **Property Description**

88425

09-19-94P02:38 RCVD

Vol. 14 Page 29524

### BARGAIN AND SALE DEFD

Gary L. Voight and Shirley R. Voight, husband and wife, Grantor, conveys to Taylor E. High and Betty J. High, Grantoe, the following real property situated in Klamath County, Oregon, to-wit:

A Tract of land situated in the ENEW of Section 13, T39S, R10EWM, and the NWSWW, of Section 19, T39S, R114/EWM, Klamath County, Oregon.

Beginning at a raitroad spike, marked L.S. 658, on the center line of the South Po-Valley Road from which the corner common to Sections 13 and 24 tears 564\*57\*52W 490.58 feet; thence N06\*38\*27\*E 423.32 feet to a 5/8 inch iron pin with a Tru-Line Surveying plastic cap on the southerly bank of the spring ditch; thence North to Lost River; thence Southeasterly along Lost River to the Northwesterly corner of that tract of land described in Volume M86, pages 8496 and 8497 of the Klamath County Deed Records; thence South to the north line of the SEVSWW of said Section 19; thence westerly along said north line to the center line of South Poe Valley Road; thence northwesterly along said center line to the point of beginning.

#### RESTRICTIONS:

 This transfer is intended as a lot line adjustment. Grantoes and their successors are restricted from transferring the real property described above union it is contemporaneous with the transfer of the following described real property:

Lots Seven (7) and Eight (8) of Section 19; NWKNWK of Section 29; NEV4, and NV SEV4 of Section 30, all in Township 39 South, Range 111/6 East of Willemette Meridian.

Saving and Excepting from and premises that portion thereof heretofore conveyed to the United States of America, described in deed of record in Vol. 37 at page 589, Deed Records of Klamath County, Oregon.

Subject to easements granted to The California Oregon Power Company, described in instruments of record in Deed Records of Klamath County, Oregon. Also subject to mortgage lien in favor of The United States National Bank of Portland (Oregon), dated June 15, 1951, recorded June 16, 1951, in Book 139, Page 622, Mortgage Records of Klamath County, Oregon, which easements and which said mortgage the grantees herein assume and agree to observe, respect and pay as part consideration for this conveyance.

The intent of this restriction is that the two parcels shall henceforth be contiguous and in the same ownership.

- 2. Reserving to Grantors the sight to irrigate grantors' adjacent property described in Exhibit 1 attached hereto and incorporated herein by reference, together with an unrestricted right of access upon the property conveyed hereby to construct, reconstruct and maintain irrigation and/or drainage disches or canals upon such locations as grantors or their successors may deem appropriate for the benefit of the property described in Exhibit 1
- 3. Reserving the grantom as and for an appurenance to the property described in Exhibit 1 as rectriction v<sup>-1</sup> a any construction as follows: No portion of any house appurtenance or outbuilding shall be less han 100 yards from the easterly property line of the property described in Exhibit 1.

CC#: 11176

WO#: 2648060

NAME: T. E. High

DRAWN BY: Binable

EXHIBIT B

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**PacifiCorp** 

SCALE: SHEET OF Z

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Vol. M99 Page 9357

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