AFTER RECORDING RETURN TO:

Dr. Kurt Wilkening 13597 Highway 238 Applegate, OR 97530 MTC- 73434

M06-06600

Klamath County, Oregon 04/05/2006 11:07:00 AM

Pages 2 Fee: \$26.00

SEND ALL TAX STATEMENTS TO: Dr. Kurt Wilkening 13597 Highway 238 Applegate, OR 97530

RIGHT OF WAY EASEMENT

For value received, the ROBERT WALLACE and JOLEE WALLACE, TENANTS BY THE ENTIRETY, hereafter referred to as "GRANTORS," grant to PACIFICCORP, an Oregon corporation, its successors and assigns, hereafter referred to as "GRANTEE," an easement for a right of way ten (10) feet in width and sixty-two (62) feet in length, more or less, along the west property line of Lot 10, Harriman Park Subdivision, Klamath County, Oregon, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, distribution and communication lines, and all necessary or desirable accessories, appurtenances thereto along the general course now located by Grantee, UNDER the surface of Grantors' real property in Klamath County, State of Oregon, more particularly described as follows:

LOTS 9 AND 10, HARRIMAN PARK, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Together with the right of access to the right of way from Grantors' adjacent lands 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, material or vegetation of any kind that exceeds twelve (12) feet in height, light any fires, place or PAGE 1 - RIGHT OF WAY EASEMENT

910.₀

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 any other purpose not inconsistent as determined by Grantee with the purposes for which this easement has been granted.

The parties acknowledge and agree that all electric power transmission, distribution and communication lines and all necessary and desirable accessories and appurtenances shall be installed <u>UNDERGROUND</u>.

The rights and obligations of the parties shall be binding upon and shall benefit their respective heirs, successors and assigns.

their respective heirs, successors and assigns.
DATED this of April, 2006.
ROBERT WALLACE
so well allo
OLEE WALLACE
STATE OF OREGON
County of Jackson)
On this 4 day of Apr <u>il. 2</u> 006, personally appeared the within name

On this 4 day of April, 2006, personally appeared the within named ROBERT

OFFICIAL SEAL SEAL OF EACH PUBLIC OREGON
COMMISSION EXPIRES AUG. 9, 2006

STATE OF OREGON

County of Jackson

On this 4 day of April, 2006, personally appeared the within named JOLEE

WALLACE and advantaged the foregonally appeared the within named JOLEE

On this _____ day of April,2006, personally appeared the within named JOLEE WALLACE, and acknowledged the foregoing instrument to be her voluntary act and deed.

OFFICIAL SEAL
JEANENE R. CHRISTIANSEN
NOTARY PUBLIC-OREGON
COMMISSION NO. 358037
MY COMMISSION EXPIRES AUG. 9, 2006

MY/Commiss

Notary Public for Oregon
My/Commission Expires: 8-9-06