

EASEMENT

M06-07577

Klamath County, Oregon

04/19/2006 08:12:07 AM

Pages 2 Fee: \$36.00

2006 APR 19 PM 12:07
 LOT 11 BLOCK 12
 SUNFOREST ESTATES

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, **Roy Toten Jr.** the record owner(s) of the real property located in **Klamath** County, State of Oregon, more particularly described as:

Portion: SE 1/4

Section: 36D, **Township:** 23 South, **Range:** 10 East, Willamette Meridian

Subdivision: Sunforest Estates **Lot:** 11 **Block:** 12

Tax Lot: 10900

Tax Map: 231036

for good and valuable consideration below listed, the receipt of which is acknowledged, do hereby grant unto Midstate Electric Cooperative, Inc., an Oregon cooperative corporation (hereinafter called the "Cooperative"), whose post office address is P.O. Box 127, La Pine, Oregon 97739, and to its successors and assigns, the following easement:

A 15-foot wide easement to install, modify and maintain **electrical facilities** on the following described parcel:

The South 15 feet of Lot 11, Block 12 of Sunforest Estates, containing 0.05 acres, more or less;

(over)

EASEMENT BETWEEN Roy Toten Jr. 51908 Cultus Ln. Lapine, Or. 97739 AND Midstate Electric Cooperative, Inc. P.O. Box 127 La Pine, Oregon 97739 After recording return to: Midstate Electric Cooperative, Inc. P.O. Box 127 La Pine, Oregon 97739	STATE OF OREGON, County of _____ ss. I certify that the within instrument was received for record on the ____ day of _____, 20__, at o'clock __.M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of _____ of said county. Witness my hand and seal of County affixed. _____ Name Title By _____, Deputy
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and to lay, construct, operate and maintain an electrical transmission and/or distribution line or system, electrical, cable, telecommunications and other utility facilities on or under the above-described real property and/or in, upon, or under all streets, roads or highways abutting said real property; to inspect and make such repairs, changes, alterations, improvements, removals from, or substitutions and additions to its facilities as Cooperative may from time to time deem advisable, including, by way of example and not by way of limitation, the right to increase or decrease the number of conduits, wires, cables, handholes, manholes, transformers, connection boxes, transformer enclosures, concrete pads, attachments, equipment, accessories and appurtenances thereto desirable in connection therewith, hereinafter referred to as the "facilities"; to cut, trim and control the growth by machinery or otherwise of trees and shrubbery located within the easement, or that may otherwise interfere with or threaten to endanger the operation and maintenance of said line or system (including any control of the growth of other vegetation in the right-of-way which may incidentally or necessarily result from the means of control employed); to keep the easement clear of all buildings, structures or other obstructions; and to license, permit or otherwise agree to the joint use of occupancy of the lines, poles, system or, if any said system is placed underground, of the trench related to underground facilities, by any other person, association or corporation.

The undersigned agree that all poles, wires or other facilities including any main service entrance equipment, installed in, upon or under the above-described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the Cooperative.

The undersigned further covenant that they are the owners of the above-described real property and that the said real property is free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

THE TRUE CONSIDERATION FOR THIS GRANT OF EASEMENT IS PROVISION FOR ELECTRIC SERVICE.

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 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.

WITNESS THE HAND OF SAID GRANTOR(S)
on this 11 day of April, 2006

Roy E. Toten Jr.
Grantor

Grantor

WITNESS THE HAND OF SAID GRANTOR(S)
on this ____ day of _____, 20__.

Grantor

Grantor

STATE OF OREGON; County of Deschutes) ss.

The foregoing instrument was acknowledged before me
this 11 day of April, 2006

by Roy E. Toten Jr.

Notary Public for Oregon [Signature]
My Commission expires: Jan 5, 2010

STATE OF OREGON; County of _____) ss.

The foregoing instrument was acknowledged before me
this _____ day of _____, 20__.

by _____

Notary Public for Oregon _____
My Commission expires: _____

