

## EASEMENT

**M06-10185**

Klamath County, Oregon

05/22/2006 08:51:16 AM

Pages 2 Fee: \$26.00

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, **Tom & Beverly Carter** the record owner(s) of the real property located in **Klamath** County, State of Oregon, more particularly described as.

**Portion:** SW 1/4**Section:** 10, **Township:** 25 South, **Range:** 08 East, Willamette Meridian**Subdivision:** Schoonover Record of Survey (CS 3900) **Lot:** 28**Tax Lot:** 5000**Tax Map:** 250810

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

The North 20 feet of Lot 28, of the Schoonover Record of Survey (CS 3900), containing 0.15 acres, more or less;

(over)

<p><b>EASEMENT BETWEEN</b></p> <p><b><u>Tom &amp; Beverly Carter</u></b> <b><u>85311 Jessie Ln.</u></b> <b><u>Eugene, Or. 97405</u></b> AND</p> <p><b><u>Midstate Electric Cooperative, Inc.</u></b> <b><u>P.O. Box 127</u></b> <b><u>La Pine, Oregon 97739</u></b></p> <p>After recording return to:</p> <p><b><u>Midstate Electric Cooperative, Inc.</u></b> <b><u>P.O. Box 127</u></b> <b><u>La Pine, Oregon 97739</u></b></p>	<p>STATE OF OREGON, County of _____) ss.</p> <p>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.</p> <p>Witness my hand and seal of County affixed.</p> <p>_____ Name Title</p> <p>By _____, Deputy</p>
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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 14 day of Nov, 2005

Tom K Carter  
Grantor

Tom K Carter  
Grantor

WITNESS THE HAND OF SAID GRANTOR(S)  
on this 14 day of NOV, 2005

BEVERLY C CARTER  
Grantor

Beverly C Carter  
Grantor

STATE OF OREGON; County of Lane ) ss.

The foregoing instrument was acknowledged before me  
this 14 day of Nov, 2005  
by Tom K Carter

Notary Public for Oregon  
My Commission expires: 5/24/07

STATE OF OREGON; County of Lane ) ss.

The foregoing instrument was acknowledged before me  
this 14 day of Nov, 2005  
by Beverly C Carter

Notary Public for Oregon  
My Commission expires: 5/24/07

