

M06-10747

Klamath County, Oregon

05/26/2006 11:58:35 AM

Pages 4 Fee: \$36.00

RECORDING REQUESTED BY:

GRANTOR:Rodrigo Moreno

GRANTOR:Maria Lourdes Moreno

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

RIGHT OF WAY EASEMENT

RECEIVED
MAR 13 2006

BY: BU ISSI

Return to: Pacific Power
1950 Mallard Lane
Klamath Falls, Oregon 97601

CC#: 11176 WO#: 002787946

OVERHEAD RIGHT OF WAY EASEMENT

For value received, Rodrigo Moreno, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 20 feet in width and 650 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 and B attached hereto and by this reference made a part hereof:

Said property generally located in the N 1/2 of the SW 1/4 of Section 5, Township 41S, Range 11E, of the Willamette Meridian and more specifically described in Volume M05, Page 04602 in the official records of Klamath County.

Assessor's Map No. R-4111-00500-01100-000

Tax Parcel No. 00500

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 17 day of March, 2006.

Rodrigo Moreno
Grantor(s) Rodrigo Moreno

Maria Lourdes Moreno
Grantor(s) Maria Lourdes Moreno

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of California }
County of Sacramento } ss

On March 17, 2006 before me, Meagan Silvey, Notary Public
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Rodrigo Moreno and Maria Lourdes Moreno
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

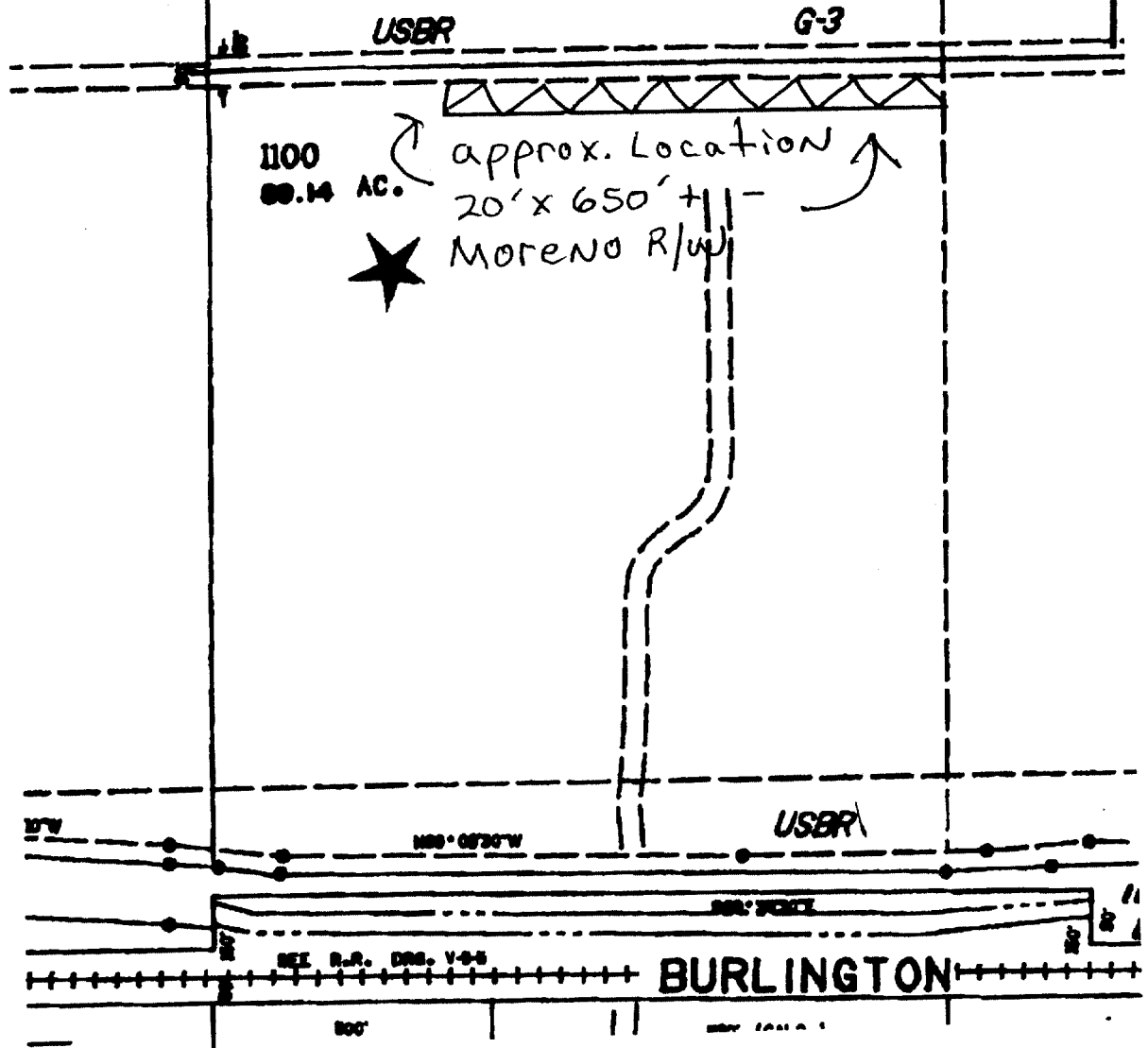


WITNESS my hand and official seal.

Meagan Silvey
SIGNATURE OF NOTARY

Property Description

N 1/2 SW 1/4
Section: 5 Township: 41 S (N or S), Range: 11 E (E or W) Willamette Meridian
County: Klamath State: OR
Parcel Number: 01100



CC#: 11176 WO#: 002787946

Landowner Name: R+M MORENO

Drawn by: Bill O'Brien

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: N.T.S.

Property Description

WHEN RECORDED MAIL TO:

MAIL TAX STATEMENTS TO:

RODRIGO MORENO and MARIA LOURDES MORENO
8320 Glendon Way
Sacramento, CA 95829

Vol M05 Page 04602

State of Oregon, County of Klamath
Recorded 01/21/05 10:41 a.m.
Vol M05 Pg 04602-04
Linda Smith, County Clerk
Fee \$ 3.00 # of Pgs 3

WARRANTY DEED

SYDNEY K. GIACOMINI, married woman, dealing with her own property,

GRANTOR, conveys and warrants to

RODRIGO MORENO and MARIA LOURDES MORENO, husband and wife,

GRANTEE, the following described real property situate in Klamath County, State of Oregon, free of encumbrances except as specifically set forth below:

Parcel 1: SE $\frac{1}{4}$ NE $\frac{1}{4}$, less one acre on the Northwest corner and further excepting therefrom 4 acres, more or less, described in Deed recorded in Book 81, page 574, Deed Records of Klamath County, Oregon, in Section 6, Township 41 South, Range 11, EWM.

Parcel 2: SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$; South 30 acres of SW $\frac{1}{4}$ NW $\frac{1}{4}$, SAVING AND EXCEPTING THEREFROM that portion in the U.S.R.S. Main Canal, and any portion lying Southerly of the Northerly line of the Great Northern Railroad; all in Section 5, Township 41 South, Range 11 EWM.

SUBJECT TO THE EXCEPTIONS AND LIMITATIONS OF WARRANTY SET FORTH IN EXHIBIT A ATTACHED HERETO, AND THEREBY MADE A PART HEREOF, WHICH GRANTEE ASSUMES AND AGREES TO PAY OR PERFORM AND TO INDEMNIFY AND HOLD GRANTOR, AND GRANTOR'S PREDECESSORS IN INTEREST, HARMLESS THEREFROM.

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 FEE 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.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 270,000.00 SKG

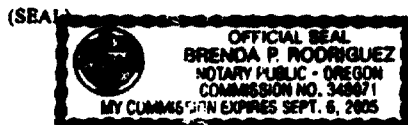
In construing this deed and where the context so requires, the singular includes the plural, the masculine includes the feminine and the neuter and, generally, all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

Dated: 12-15-05

Sydney K. Giacomini
Sydney K. Giacomini

STATE OF OREGON)
COUNTY OF KLAMATH) ss

On January 20, 2005 personally appeared the above named SYDNEY K. GIACOMINI and acknowledged the foregoing instrument to be her] voluntary act and deed.



Before me: *Brenda P. Rodriguez*
Notary Public for Oregon
My Commission expires: 9-6-05

CC#: 11176

WO#: 002787946

NAME: M + R MORENO

DRAWN BY: *Bill Older*

EXHIBIT B

PacifiCorp

SCALE:

NTS

SHEET

OF

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