

**M06-12691**

Klamath County, Oregon

06/21/2006 10:12:47 AM

Pages 2 Fee: \$26.00

Paradise Hill Development, LLC  
Grantor

PacifiCorp & Qwest  
Grantees

After Recording Return to:  
Pacific Power  
1950 Mallard Lane  
Klamath Falls, OR 97601

**RIGHT OF WAY EASEMENT**

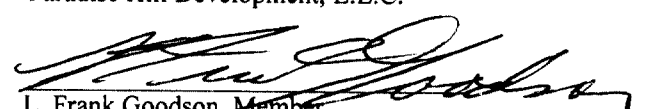
For value received, Paradise Hill Development, LLC, the owners of Lot 43, Tract 1460, Gray Rock Phase 3, and Lot 57, Tract 1476, Gray Rock Phase 5, ("Grantor") hereby grants to PacifiCorp, an Oregon corporation, and Qwest, there successors and assigns ("Grantees"), a non-exclusive easement for a right of way for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of an underground electric distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: fibers, cables and other conductors and conduits therefore, and pads, transformers, switches, vaults on, across or under the surface of the real property of the Grantor in Klamath County, State of Oregon, more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof;

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 clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's actives. The Grantee may require the lot owner to remove all structures within the easement at the lot owner's expense, or the utility may remove such structures at the lot owner's expense. At no time may any permanent structure be placed within the easement or any other obstruction which interferers with the use of the easement.

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

Dated this 16 day of June, 2006.

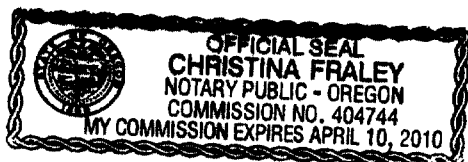
  
Mark Wendt, Member,  
Paradise Hill Development, L.L.C.

  
L. Frank Goodson, Member,  
Paradise Hill Development, L.L.C.

BE IT REMEMBERED that on this 16 day of June, 2006, personally appeared before me Mark R. Wendt and L. Frank Goodson, who are known to me to be the identical persons described in and who executed the above instrument, and who acknowledged to me that they executed the same freely and voluntarily on behalf of Paradise Hill Development, LLC. In witness whereof, I have hereunto set my hand and affixed my seal this day and date written above.

Before me:   
Notary Public for Oregon,

(SEAL)



Description for Utility Easement on  
Lot 43 of Tract 1460 – Gray Rock Phase 3 and Lot 57 of Tract 1476 – Gray Rock Phase 5

A strip of land 10.00 feet in width situated in the S½ NE¼ and N½ SE¼ of Section 6, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being a portion of Lot 43 of Tract 1460 – Gray Rock Phase 3 and a portion of Lot 57 of Tract 1476 – Gray Rock Phase 5 and 5.00 feet on each side of the following described centerline:

Beginning at a point on the easterly right of way line of Peregrine Heights which bears North 30°00'00" West 5.03 feet from the intersection of the southerly line of said Lot 43 with said easterly right of way line; thence parallel to and 5.00 feet distant from said southerly line of Lot 43 North 66°29'51" East 766.79 feet to a point lying 5.00 feet east of the northerly extension of the west line of said Lot 57 when measured at a right angle; thence parallel to and 5.00 feet distant from said west line and the northerly extension thereof South 00°00'00" East 500.89 feet; thence South 23°52'35" West 139.56 feet; thence South 03°49'49" East 421.09 feet to a point on the northerly line of Stoneridge Drive; the sidelines of said strip to be shortened or extended to be continuous and to terminate on the beginning and ending lines.

5/15/06

1909-0205