

2006-016648

Klamath County, Oregon



00001513200600166480040041

08/18/2006 10:30:45 AM

Fee: \$36.00

RECORDING REQUESTED BY:

GRANTOR: David P. Russell

GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

RIGHT OF WAY EASEMENT

20 NS
36

RECEIVED
MAY 31 2006UNDERGROUND RIGHT OF WAY EASEMENTBY: RTZ @ 1404

For value received, David P. Russell ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a non-exclusive easement for a right of way 20 feet in width and 250 feet in length, more or less, 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 Grantor in Klamath County, State of Oregon, more particularly described as follows and as more particularly described and/or shown on Exhibit(s) A B attached hereto and by this reference made a part hereof:

Said property generally located in the NW of Section 35 Township 34s Range 07E of the Willamette Meridian and more specifically described in Volume M99 Page 43308 in the official records of Klamath County.

Assessor's Map No. 3407-03500-00600-000 Tax Parcel No. 600

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 activities.

At no time shall Grantor place, 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 31st day of May, 2006.

David P. Russell

David P. Russell (Grantor)

(Grantor)

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } ss

On May 31, 2006 before me, Rita F. Collins
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared David P. Russell
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

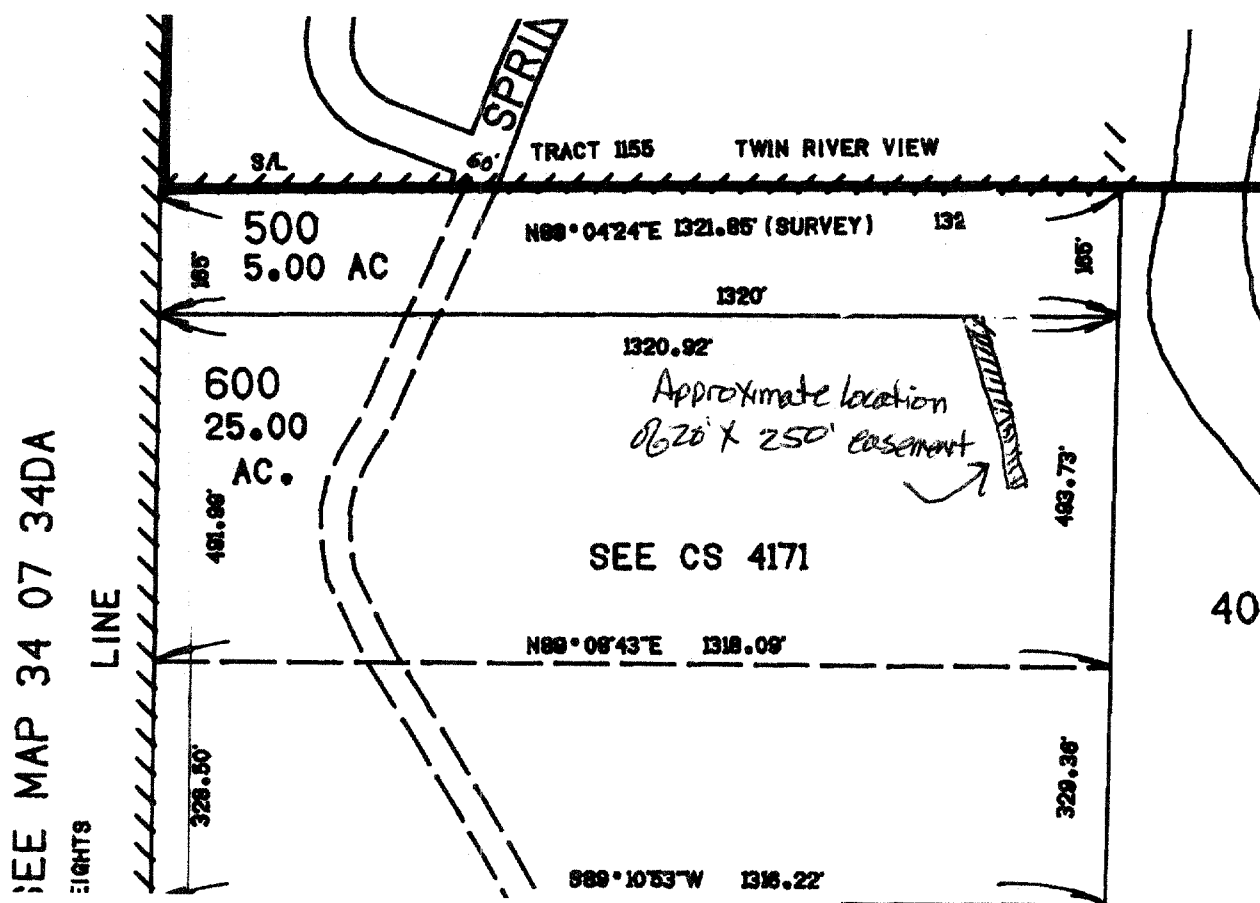
WITNESS my hand and official seal.

Rita F. Collins
SIGNATURE OF NOTARY



Property Description

Section: _____ Township: _____ (N or S), Range: _____ (E or W) _____ Meridian
County: _____ State: _____
Parcel Number: _____



#11176 WO#: 02660125
Landowner Name: Russell
Drawn by: M. Collins

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: None

Property Description

1999 OCT 25 AM 11: 22
1999 OCT 29 AM 11: 33

MTC 49155-LW
WARRANTY DEED

Vol M99 Page 43308
Vol M99 Page 12129

EAST CASCADE PROPERTIES, INC., an Oregon Corporation,
Grantor(s) hereby grant, bargain, sell, warrant and convey to:
DAVID P. RUSSELL,
Grantee(s) and grantee's heirs, successors and assigns the following described
real property, free of encumbrances except as specifically set forth herein in
the County of KLAMATH and State of Oregon, to wit:

THE NW1/4 OF THE SW1/4 OF SECTION 35, TOWNSHIP 34 SOUTH, RANGE 7 EAST OF
THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON. EXCEPTING THEREFROM THE
NW1/2 OF THE NW1/4 OF THE SW1/4 OF SECTION 35, TOWNSHIP 34
SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.
ALSO EXCEPTING THEREFROM THE S1/2 OF THE NW1/4 OF THE SW1/4
OF SECTION 35, TOWNSHIP 34 SOUTH, RANGE 7 EAST OF THE WILLAMETTE
MERIDIAN, KLAMATH COUNTY, OREGON.

"TOGETHER WITH A 16 FOOT EASEMENT EXTENDING 16 FEET SOUTH OF THE NORTH
END OF FINE AVENUE EASEMENT ALONG THE WEST BOUNDARY OF TAX ACCOUNT
3407-03500-00700 AND CONTINUING TO THE NORTH BOUNDARY OF TAX LOT 700."

TAX ACCOUNT NO.: 3407-03500-00600-000

MAP/TAX LOT: 204638

**RE-RECORDED TO CORRECT LEGAL DESCRIPTION

SUBJECT TO: all those items of record and those apparent upon the land, if
any, as of the date of this deed and those shown below, if any:
and the grantor will warrant and forever defend the said premises and every
part and parcel thereof against the lawful claims and demands of all persons
whomsoever, except those claiming under the above described encumbrances.

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 for this conveyance is 49,000.00.

Until a change is requested, all tax statements shall be sent to Grantee at the
following address: 481 PENNYLANE, GRANTS PASS, OR 97527

Dated this 22 day of October, 1999

EAST CASCADE PROPERTIES, INC.
DUANE W. SMITH, PRESIDENT

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on October 22, 1999 by DUANE
W. SMITH AS PRESIDENT FOR EAST CASCADE PROPERTIES, INC.

Donna M. Wetherman
(Notary Public for Oregon)

My commission expires 6/21/02

ESCROW NO. NT49155-LW

Return to:

DAVID P. RUSSELL
481 PENNYLANE
GRANTS PASS, OR 97527

State of Oregon, County of Klamath
Recorded 10/25/99, at 11:22 a.m.
In Vol. M99 Page 42429
Linda Smith,
County Clerk Fees 30.00

State of Oregon, County of Klamath
Recorded 10/29/99, at 11:33 a.m.
In Vol. M99 Page 43308
Linda Smith,
County Clerk Fees 5.00

CC#: WO#: 02660125
Landowner Name: RUSSELL

EXHIBIT B

PACIFIC POWER
A PACIFICORP COMPANY