

2006-017933

Klamath County, Oregon



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09/06/2006 12:21:36 PM

Fee: \$36.00

RECORDING REQUESTED BY:

GRANTOR: Henzel Properties Limited
Partnership

GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

RIGHT OF WAY EASEMENT

RECEIVED
MAY 08 2006
BY: *UB*

36

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, Henzel Properties Limited Partnership ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a non-exclusive easement for a right of way 10 feet in width and 4000 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 N 1/2 of Section 7 Township 41 S Range 9 E of the Willamette Meridian and more specifically described in Volume M05 Page30656 in the official records of Klamath County.

Assessor's Map No. R4109-0000-00900 Tax Parcel No. 0000

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.

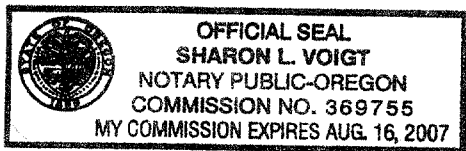
The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

DATED this 3rd day of May, 2006.
Sam Henzel *Thurston K Henzel*
Henzel Brothers Limited Partnership (Grantor) (Grantor)
Properties

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of OR }
County of Klamath } ss
On May 3, 2006 before me, Sharon L Voigt
Name, Title or Officer (eg Jane Doe, Notary Public)
personally appeared Sam Henzel & Thurston K Henzel
Name(s) of Signer(s)

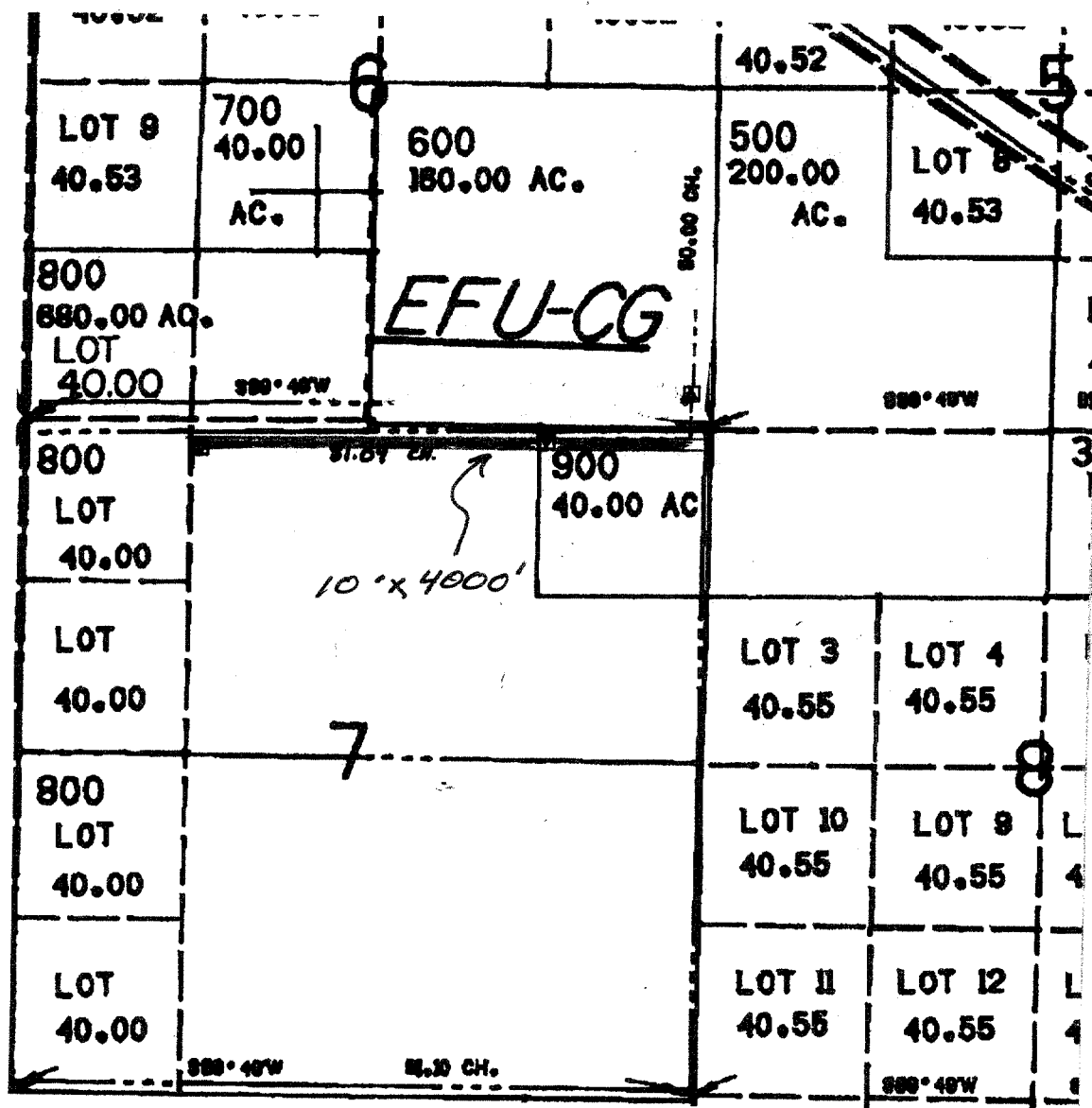
* personally known to me ~ OR ~ ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) 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.
Sharon L Voigt
SIGNATURE OF NOTARY

Property Description

Section: 7 Township: 41 (N or S) Range: 9 (E or W) W Meridian
County: Klamath State: OR
Parcel Number: R 4109-0000-00900



#: 11176 WO#: 2805746

Landowner Name: Henzel

Drawn by: DN

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: NA

05 APR 29 #11:16

Vol M05 Page 30656

State of Oregon, County of Klamath
Recorded 04/29/2005 11:16 Am
Vol M05 Pg 30656-57
Linda Smith, County Clerk
Fee \$ 10.00 # of Pgs 2

c/c
QUITCLAIM DEED

SAMUEL ALLAN HENZEL and THURSTON KRETLOW HENZEL, Trustees of the HENZEL FAMILY IRREVOCABLE TRUST, and the HENZEL FAMILY TRUST, Grantors, releases and quitclaims to HENZEL PROPERTIES LIMITED PARTNERSHIP, Grantee, all right, title and interest in and to the following described real property:

Township 41 South, Range 9 East of the Willamette Meridian

Section 6: NE 1/4 SW 1/4 and the S 1/2 of SW 1/4
Section 7: All

The true and actual consideration for this conveyance is in accordance with Declaratory Judgment, Case No. 05-00438 CV in the Circuit Court of Klamath County, signed by Judge Richard B. Rambo dated February 15, 2005, and other valuable consideration.

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.

Until a change is requested, all tax statements are to be sent to the following address: No Change.

Dated this 29 day of April, 2005.

Samuel A. Henzel, Trustee
Samuel A. Henzel, Trustee

Thurston K. Henzel, Trustee
Thurston K. Henzel, Trustee

QUITCLAIM DEED
PAGE 1

JUSTIN E. THRONE
ATTORNEY AT LAW
280 Main Street • Klamath Falls, Oregon 97601
(541) 882-4436 Fax (541) 882-4437

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EXHIBIT "B"