

2006-018956

Klamath County, Oregon



00004277200600189560050052

09/21/2006 09:58:06 AM

Fee: \$41.00

RECORDING REQUESTED BY:

GRANTOR: Hagar Lane Development, LLC

GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

pt
dc

RIGHT OF WAY EASEMENT

RECEIVED
FEB 22 2006

BY: DW 1514

41

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, Hagar Lane Development ("Grantor"), hereby grants to PacificCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a non-exclusive easement for a right of way 10 feet in width and 205 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 thereto; 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:

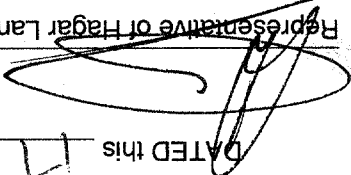
Said property generally located in the NE 1/4 of the NE 1/4 of Section 12 Township 39S Range 9E of the Willamette Meridian and more specifically described in Volume MO5 Page27454 in the official records of Klamath County. Assessor's Map No. R-3909-012DA-01600-000 Tax Parcel No. 01600-000

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.

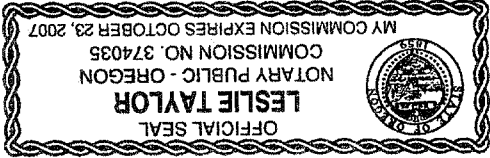
DATED this 17 day of Feb, 2006

 Representative of Hagar Lane Development, LLC (Grantor)

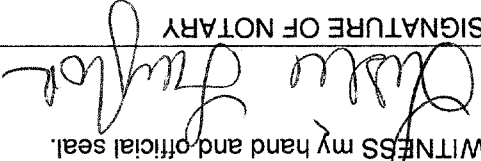
_____ (Grantor)

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } ss
On Feb 17, 2006 before me, Leslie Taylor, Notary Public }
Name(s) of Signer(s) Donald Rundo }
personally appeared }
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 of which the person(s) acted, executed this instrument

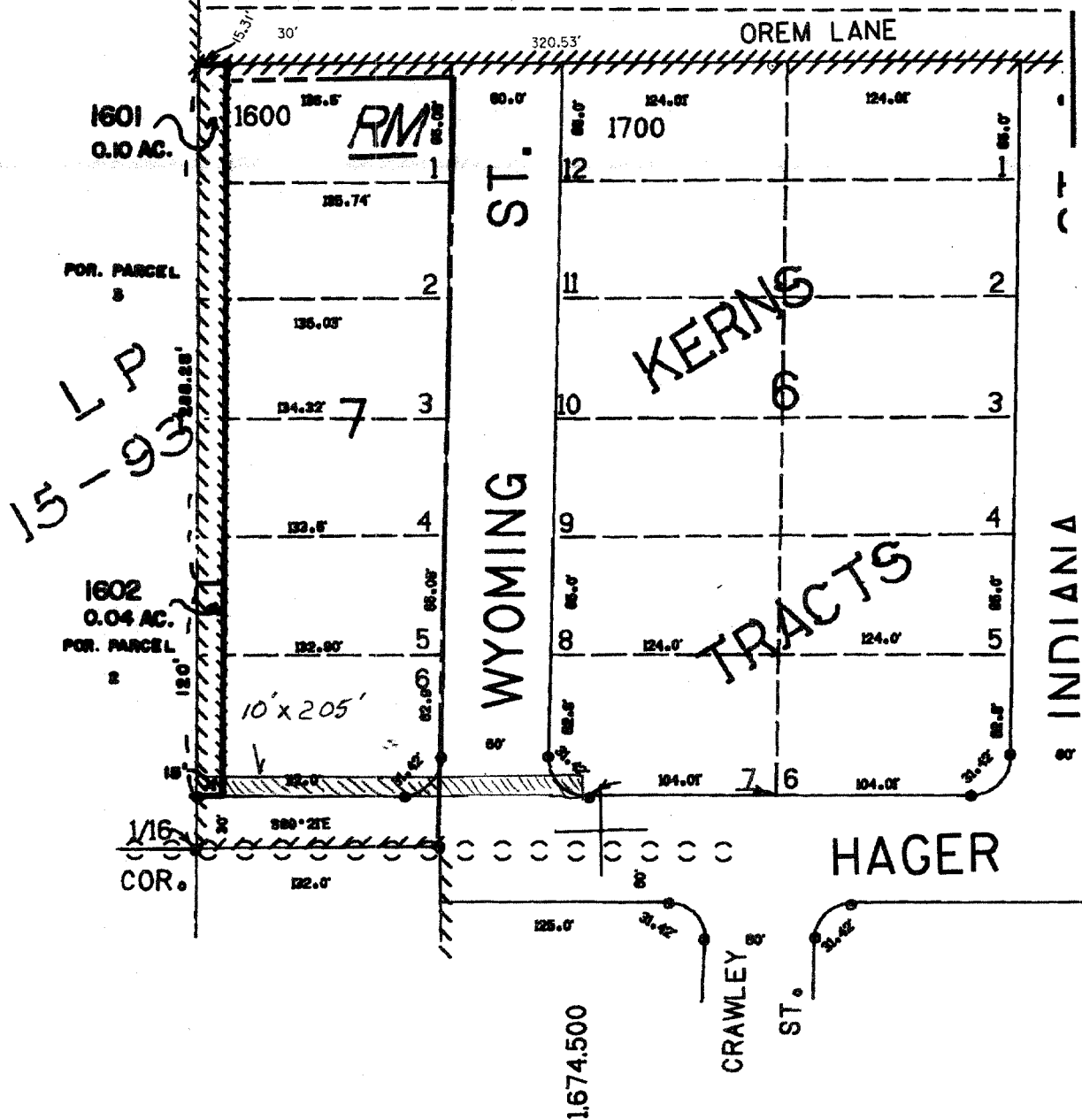


WITNESS my hand and official seal.

 SIGNATURE OF NOTARY

Property Description

Section: 12 Township: 39 (N or S) Range: 9 (E or W) W Meridian
County: Klamath State: OR
Parcel Number: R 3909-01204-01600



#: WO#: 2724069
Landowner Name: HAGER LANE DEVELOPMENT
Drawn by: DM

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:

mtc - 68970K



05 APR 19 PM 3:25

THIS SPACE RESERVED
State of Oregon, County of Klamath
Recorded 04/19/2005 3:05PM
Vol M05 Pg. 27454-55
Linda Smith, County Clerk
Fee \$ 210 # of Pgs 2

After recording return to:
HAGAR LANE DEVELOPMENT, LLC, an
Oregon limited liability company
3245 Homedale Rd.
Klamath Falls, OR 97603
Until a change is requested all
tax statements shall be sent to
The following address:
HAGAR LANE DEVELOPMENT, LLC, an
Oregon limited liability company
3245 Homedale Rd.
Klamath Falls, OR 97603
Escrow No. MTC68970-KR

STATUTORY WARRANTY DEED

Leo C. Olsen and Pamela J. Olsen, as tenants by the entirety, Grantor(s) hereby convey and warrant to HAGAR LANE DEVELOPMENT, LLC, an Oregon limited liability company, Grantee(s) the following described real property in the County of Oregon, free of encumbrances except as specifically set forth herein:

LEGAL DESCRIPTION

PARCEL 1: Lots 1 through 6, inclusive, Block 7, KERNS TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXCEPTING THEREFROM the westerly 15 feet thereof.

Tax Account No: 3909-012DA-01600-000 Key No: 566649

PARCEL 2:

Parcels 1, 2 and 3 of Land Partition 15-93, said Land Partition being situated in the E1/2 NW1/4 SE1/4 and W1/2 NE1/4 SE1/4 of Section 12, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Tax Account No:	3909-012DB-00301-000	Key No:	874956
Tax Account No:	3909-012DA-01602-000	Key No:	874949
Tax Account No:	3909-012DB-00302-000	Key No:	874957
Tax Account No:	3909-012DA-01601-000	Key No:	874948
Tax Account No:	3909-012DB-00300-000	Key No:	559194

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.

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.

Dated this 15th day of April, 2005

Leo C. Olsen
Pamela J. Olsen

EXHIBIT "B"

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on April 15, 2005 by Leo C. Olsen and Pamela J. Olsen.

Kristi L. Redd
(Notary Public for Oregon)



My commission expires 11/16/2007

EXHIBIT "B"