

2006-020600

Klamath County, Oregon



00006194200600206000070071

10/13/2006 09:00:56 AM

Fee: \$51.00

RECORDING REQUESTED BY:

GRANTOR: Leonard D Hill and
Marja A. Hill

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

RIGHT OF WAY EASEMENT

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

CC#: 11176 WO#: 2784710

OVERHEAD RIGHT OF WAY EASEMENT

For value received, Leonard D. & Marja A. Hill, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 25 feet in width and 320 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 NW 1/4 of SW 1/4 of Section 21, Township 40S, Range 10E, of the Willamette Meridian and more specifically described in Volume M06, Page 03990 in the official records of Klamath County.

Assessor's Map No. R-4010-02100-00200 Tax Parcel No. 00200

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 8 day of 6, 2006.

Marja Hill
Grantor(s)

Grantor(s)

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

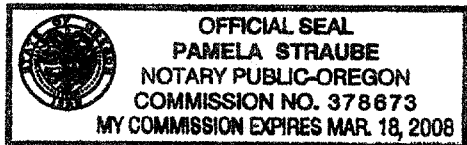
State of Oregon }
County of Klamath } ss

On 9/6/06 before me, Pamela Straube, Notary Public
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Marja Hill
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

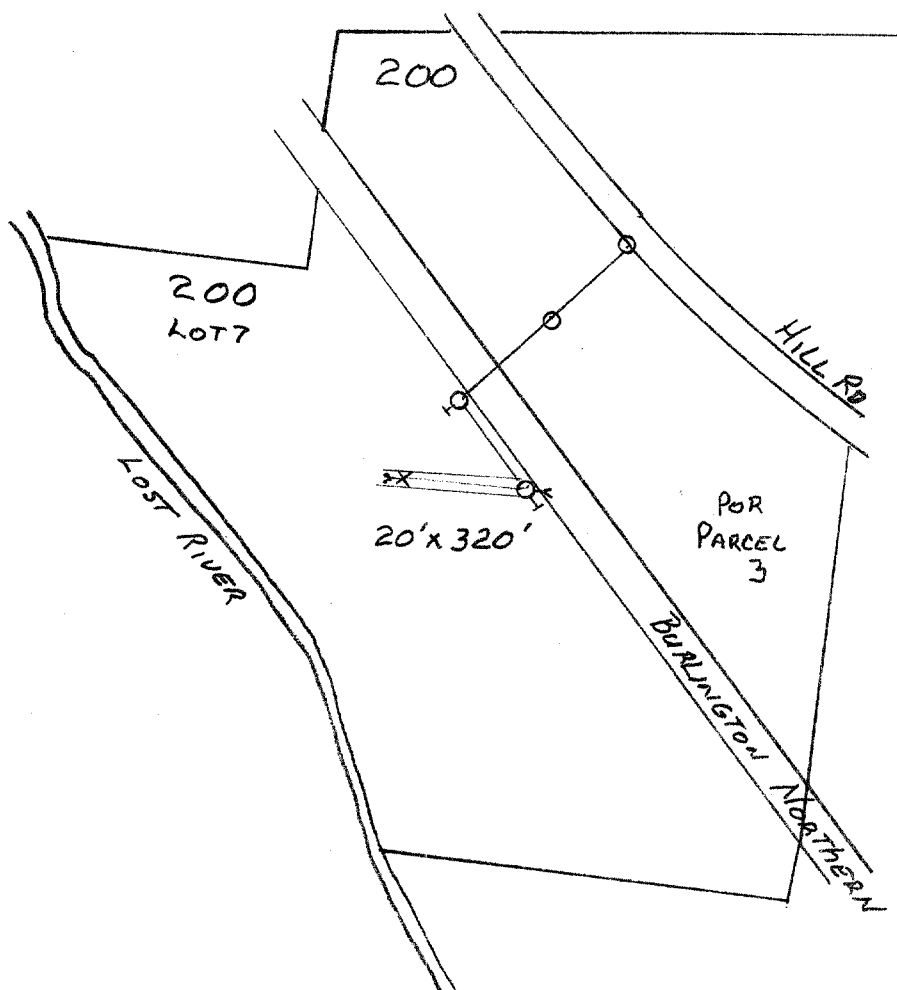
WITNESS my hand and official seal.



Pamela Straube
SIGNATURE OF NOTARY

Property Description

Section: 21 Township: 40 (N or S) Range: 10 (E or W) W Meridian
County: Klamath State: OR
Parcel Number: R-4010-02100-00200



#11176 WO#: 2784710

Landowner Name: LEONARD & MARZAHILL

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: None

MTL-73354 KR

THIS SPACE RESERVED FOR RECORDER'S USE



M06-03990

Klamath County, Oregon

03/03/2006 03:08:27 PM

Pages 3 Fee: \$31.00

After recording return to:

Marja A. Hill

15389 Fern Avenue

Keno, OR 97627

Until a change is requested all
tax statements shall be sent to
The following address:

Marja A. Hill

15389 Fern Avenue

Keno, OR 97627

Escrow No.

MT73354-KR

Title No.

0073354

SWD

STATUTORY WARRANTY DEED

W.C. Ranch, Inc., an Oregon Corporation, Grantor(s) hereby convey and warrant to Marja A. Hill and Leonard D. Hill not as tenants in common, but with right of survivorship, Grantee(s) the following described real property in the County of KLAMATH and State of Oregon free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE.

TOGETHER WITH an Easement for access and utilities as described in Exhibit "B" for the benefit of the Grantee named herein.

ALSO RESERVING unto the Grantor named herein the right to use said Easement described in Exhibit "B" and that portion of the property herein described in Exhibit "A" lying Northeasterly of the USBR "G" Canal and adjacent and Southerly of the Burlington Northern Railroad crossing as referred to in Exhibit "B" for the purpose of Ingress and Egress to the Grantors remaining property.

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 \$165,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES 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 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 28th day of February, 2006.

W.C. Ranch, Inc., an Oregon Corporation

BY:

John W. Dey, Secretary

STATE OF OREGON
County of KLAMATH



This instrument was acknowledged before me on February 28, 2006, by John W. Dey as Secretary of W.C. Ranch, Inc., an Oregon Corporation.

Kristi L. Redd
Notary Public for Oregon
My Commission Expires: 11/16/2007

EXHIBIT "B"

31.00

EXHIBIT "A"
LEGAL DESCRIPTION

That portion of Government Lots 6 and 7 of Section 21, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, lying Easterly of Lost River and Westerly of the West line of the Burlington Northern Railroad right of way.

Also that portion of Government Lot 8 of Section 21, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, lying Westerly of the West line of the Burlington Northern Railroad right of way.

EXCEPTING THEREFROM that portion of said Government Lot 8 described as follows:

A portion of Government Lot 8 in Section 21, 80 feet wide extending between the Easterly line of Lost River and the Southwest line of the Klamath Irrigation District "G" Canal, and lying 40 feet on each side of the following described line:

Beginning at a point on the Southwesterly right of way line of the Klamath Irrigation District "G" Canal at centerline station 305+13 from whence the center of Section 21, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon bears the following courses:

North 78° 46' 32" East 64.3 feet; thence South 32° 22' East 440.4 feet; thence South 89° 56' East 133.1 feet; thence from said point of beginning South 78° 46' 32" West 286 feet, more or less, to the Easterly shore line of Lost River.

AND ALSO EXCEPTING THEREFROM

That portion of Government Lot 8 of Section 21, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, lying Northerly and Easterly of Lost River, Westerly of the USBR G Canal and Northerly of the North line of the following described parcel:

A portion of Government Lot 8 in Section 21, 80 feet wide extending between the Easterly line of Lost River and the Southwest line of the Klamath Irrigation District "G" Canal, and lying 40 feet on each side of the following described line:

Beginning at a point on the Southwesterly right of way line of the Klamath Irrigation District "G" Canal at centerline station 305+13 from whence the center of Section 21, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon bears the following courses:

North 78° 46' 32" East 64.3 feet; thence South 32° 22' East 440.4 feet; thence South 89° 56' East 133.1 feet; thence from said point of beginning South 78° 46' 32" West 286 feet, more or less, to the Easterly shore line of Lost River.

Tax Account No: 4010-02100-00200-000
Tax Account No: 4010-02100-00500-000

Key No: 98977
Key No: 98922

EXHIBIT "B"

EXHIBIT "B"

Description for Easement Along Fence

A strip of land 30.00 feet in width situated in the SE¼ of Section 21, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County Oregon, being 15.00 feet on each side of the following described centerline:

Beginning at a point on the northeasterly line of the Burlington Northern Railroad right of way, from which the northeast corner of said Section 21 bears North 24°09'06" East 3809.86 feet; thence North 47°42'33" East 17.23 feet; thence 55.36 feet along the arc of a curve to the right having a radius of 75.00 feet, the long chord of which bears North 68°51'16" East 54.11 feet; thence South 90°00'00" East 94.93 feet; thence 116.90 feet along the arc of a curve to the left having a radius of 75.00 feet, the long chord of which bears North 45°20'44" East 105.42 feet; thence North 00°41'29" East 476.70 feet, more or less, to the end of the strip on the southwesterly line of Hill Road; the sidelines of said strip to be extended or shortened to be continuous and to terminate on the beginning and ending lines.

1179-08
June 14, 2004

EXHIBIT "B"