

2006-021202

Klamath County, Oregon



00006902200600212020040048

10/23/2006 10:29:49 AM

Fee: \$36.00

RECORDING REQUESTED BY:

GRANTOR: Robert J. and Carol J.  
Potucek

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER  
1950 MALLARD LANE  
KLAMATH FALLS, OR 97601

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## RIGHT OF WAY EASEMENT

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RECEIVED  
JUL 13 2006

BY: JB

31  
2006

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

CC#: 11176 WO#: 2816181

OVERHEAD RIGHT OF WAY EASEMENT

For value received, Robert J. & Carol J. Potucek, ("Grantor"), hereby grants to PacificCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 10 feet in width and 110 +/- 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 NE 1/4 of NE 1/4 of Section 2, Township 39S, Range 9E, of the Willamette Meridian and more specifically described in Volume M, Page 20180 in the official records of Klamath County.

Assessor's Map No. R-3909-002AA-05500-000      Tax Parcel No. 05500

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 July day of 16<sup>th</sup>, 2006.

Robert J. Potucek  
Grantor(s) Robert J. Potucek

Carol J. Potucek  
Grantor(s) Carol J. Potucek

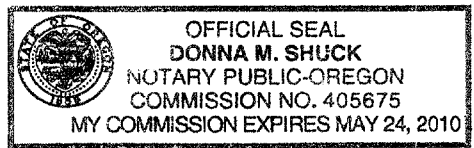
INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }  
County of Klamath } ss

On July 6, 2006 before me, Donna M Shuck, Notary Public  
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Robert J Potucek and Carol J. Potucek  
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.

Donna M Shuck  
SIGNATURE OF NOTARY  
Commission expires 5.24.10

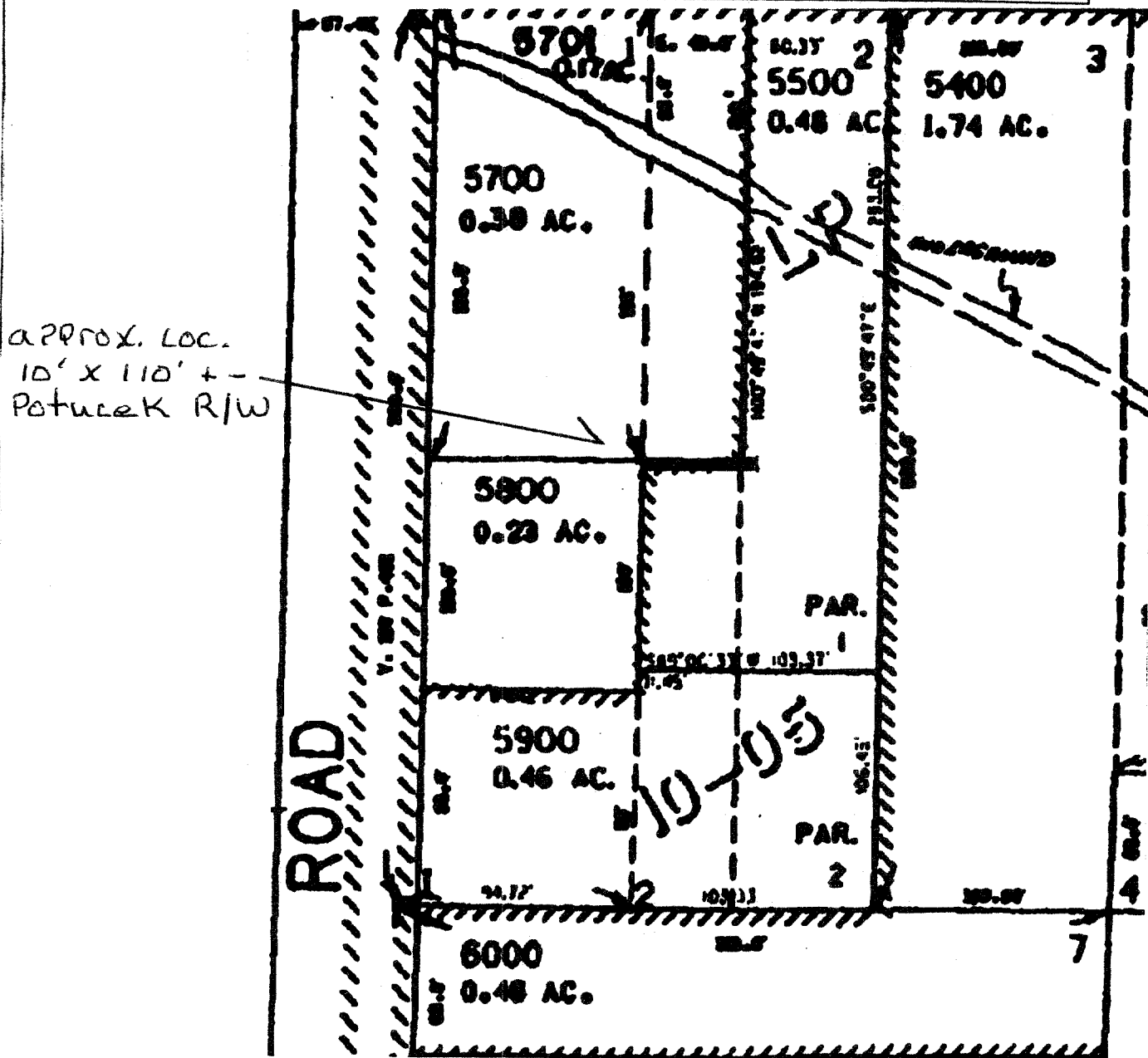
## Property Description

NE 1/4 NE 1/4

Section: 2 Township: 39 (N or S), Range: 9 (E or W) Willamette Meridian

County: Klamath State: OR

Parcel Number: 05500



#11176 WO# 002816181

Landowner Name: R. Potucek

Drawn by: B. Olden

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: NTS

# Aspen TITLE & ESCROW, INC.

## Property Description

WARRANTY DEED

ASPEN TITLE ESCROW NO. 05044908

AFTER RECORDING RETURN TO:

MR. AND MRS. ROBERT J. POTUCEK

1795 Homedale  
Klamath Falls, OR 97603

UNTIL A CHANGE IS REQUESTED ALL TAX  
STATEMENTS TO THE FOLLOWING ADDRESS:  
SAME AS ABOVE

RICHARD MARTIN BIEHN, hereinafter called GRANTOR(S), convey(s)  
to ROBERT J. POTUCEK AND CAROL J. POTUCEK, husband and wife,  
hereinafter called GRANTEE(S), all that real property situated  
in the County of Klamath, State of Oregon, described as:

The East 60.33 feet of Lot 2, VICORY ACRES, in the County of  
Klamath, State of Oregon.

CODE 41 MAP 3909-2AA TAX LOT 5500

"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 30.390."

and covenant(s) that grantor is the owner of the above described  
property free of all encumbrances except covenants, conditions,  
restrictions, reservations, rights, rights of way and easements  
of record, if any, and apparent upon the land.

and will warrant and defend the same against all persons who may  
lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is  
\$39,500.00.

In construing this deed and where the context so requires, the  
singular includes the plural.

IN WITNESS WHEREOF, the grantor has executed this instrument  
this 8th day of July, 1996.

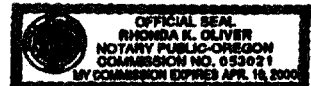
Richard Martin Biehn  
RICHARD MARTIN BIEHN

STATE OF OREGON )  
County of Klamath ) ss.

The foregoing instrument was acknowledged before me this 5th  
day of July 1996, by RICHARD MARTIN BIEHN.

Before me: Rhonda K. Oliver  
Notary Public for Oregon  
My Commission Expires: April 10, 2000

STATE OF OREGON: COUNTY OF KLAMATH: ss.



Filed for record at request of Aspen Title & Escrow the 8th day  
of July A.D. 19 96 at 3:34 o'clock P M., and duly recorded in Vol. 1996  
of 1996 on Page 20180

Bernetha G. Letch, County Clerk  
By Bernetha G. Letch

CC#: 11176 FEE

\$30.00

WO#: 002816181

NAME: R. Potucek

DRAWN BY: B. Olshe

**EXHIBIT B**

**PacifiCorp**

SCALE:

NTS

SHEET

OF

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