

2006-022505

Klamath County, Oregon



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11/13/2006 08:55:45 AM

Fee: \$26.00

Return to: Klamath Falls Area Office
1950 Mallard Lane
Klamath Falls, OR 97601

CC#: 11176 WO#: 2665749

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, Walter P. and Nancy L. Hammerich ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 30 feet in width and 4,224 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: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers and switches, 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 A attached hereto and by this reference made a part hereof:

ACCESS AND UTILITY EASEMENT DESCRIPTION:

A STRIP OF LAND 30 FEET IN WIDTH FOR AN ACCESS AND UTILITY EASEMENT, 15 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF A CERTAIN TELECOMMUNICATIONS LEASE, SAID POINT BEARING N 34°37'39" E, 1768.5 FEET FROM THE KLAMATH COUNTY ALUMINUM CAP MARKING THE SOUTH 1/4 CORNER OF SECTION 4, T39S, R11E, WILLAMETTE MERIDIAN:

AND BEING ON THE PROPERTY NOW OR FORMALLY OF WALTER P. AND NANCY L. HAMMERICH, AS DESCRIBED IN KLAMATH COUNTY, OREGON DEED RECORDS AS VOLUME M05, PAGE 11049:

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID TELECOMMUNICATIONS LEASE N 59°31'05" E, 30.00 FEET TO THE POINT OF BEGINNING:

THENCE N 51°19'58" W, 84.94 FEET TO A POINT;
THENCE S 38°40'02" W, 95.03 FEET TO A POINT;
THENCE S 10°17'15" W, 122.95 FEET TO A POINT;
THENCE S 23°07'58" W, 227.68 FEET TO A POINT;
THENCE S 04°10'37" W, 357.89 FEET TO A POINT;
THENCE S 24°35'54" W, 223.31 FEET TO A POINT;
THENCE S 13°04'50" W, 407.73 FEET TO A POINT;
THENCE S 18°05'26" W, 130.95 FEET TO A POINT;
THENCE S 03°54'22" E, 41.12 FEET TO A POINT;
THENCE S 19°58'49" E, 113.86 FEET TO A POINT;
THENCE S 08°36'16" W, 277.99 FEET TO A POINT;
THENCE S 06°51'35" W, 88.72 FEET TO A POINT;
THENCE S 00°05'58" E, 569.29 FEET TO A POINT;
THENCE S 09°25'31" W, 271.75 FEET TO A POINT;
THENCE S 00°15'53" W, 129.22 FEET TO A POINT;
THENCE S 08°33'45" W, 356.78 FEET TO A POINT;
THENCE S 02°08'15" W, 311.77 FEET TO A POINT;
THENCE S 29°59'12" W, 132.47 FEET TO A POINT;
THENCE S 03°35'20" W, 184.42 FEET TO A POINT;
THENCE S 04°29'26" W, 419.17 FEET, MORE OR
LESS, TO THE CENTERLINE OF THE DAIRY - BONANZA HIGHWAY, ALSO KNOWN AS OREGON STATE

HIGHWAY 70. THE BOUNDARIES OF SAID EASEMENT BEING EXTENDED OR SHORTENED TO MEET AT ANGLE POINTS AND TO TERMINATE ON THE BOUNDARIES OF THE GRANTOR.

BASIS OF BEARING AND DESCRIPTION PER OREGON SOUTH ZONE NAD 1983 STATE PLANE GRID.

Assessor's Map No. 39 11

Parcel No. 1200

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 therefor) 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 or store any flammable materials (other than agricultural crops), or light any fires, 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 22 day of June, 2006.

Walter P. Hammerich
Walter P. Hammerich

Nancy L. Hammerich
Nancy L. Hammerich

INDIVIDUAL ACKNOWLEDGEMENT

State of Oregon

County of Klamath

This instrument was acknowledged before me on June, 22, 2006 (date) by Walter P. and Nancy L. Hammerich.

Whitney Haskins (Signature of Notarial officer)
Oct. 18, 2009 (My commission expires: Date)

(Seal)

