

2007-000453  
Klamath County, Oregon



00012605200700004530050055

01/10/2007 08:47:42 AM

Fee: \$41.00

RECORDING REQUESTED BY:

GRANTOR: Fred C. Bertetta and  
Bonnie Jean Bertetta, Trustees of  
the Bertetta Living Trust, Dated  
January 17, 1990

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

CC#: 11176 WO#: 02857680

OVERHEAD RIGHT OF WAY EASEMENT

For value received, Fred C. Bertetta, Jr. and Bonnie Jean Bertetta, Trustees of the Bertetta Living Trust, dated January 17, 1990, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 20 feet in width and 325 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:

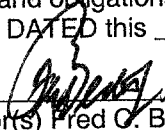
Said property generally located in the E½ SW¼ and the W½ SE¼ of Section 23, Township 35S, Range 12E, of the Willamette Meridian and more specifically described in Volume M05, Page 64321 in the official records of Klamath County.

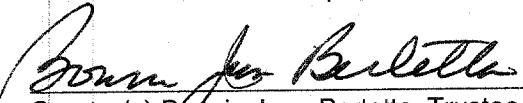
Assessor's Map No. 3512-23-900 Tax Parcel No. R292365

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 25 day of Sept, 2006.

  
Grantor(s) Fred C. Bertetta, Trustee

  
Grantor(s) Bonnie Jean Bertetta, Trustee

REPRESENTATIVE ACKNOWLEDGEMENT

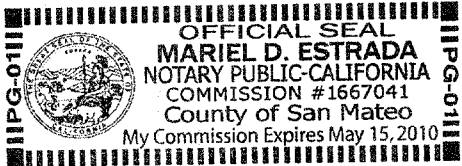
State of California }  
County of San Mateo } ss


On September 25th 2006 before me, Mariel D. Estrada Notary Public  
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Fred Cesar Bertetta and Bonnie Jean Bertetta  
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.

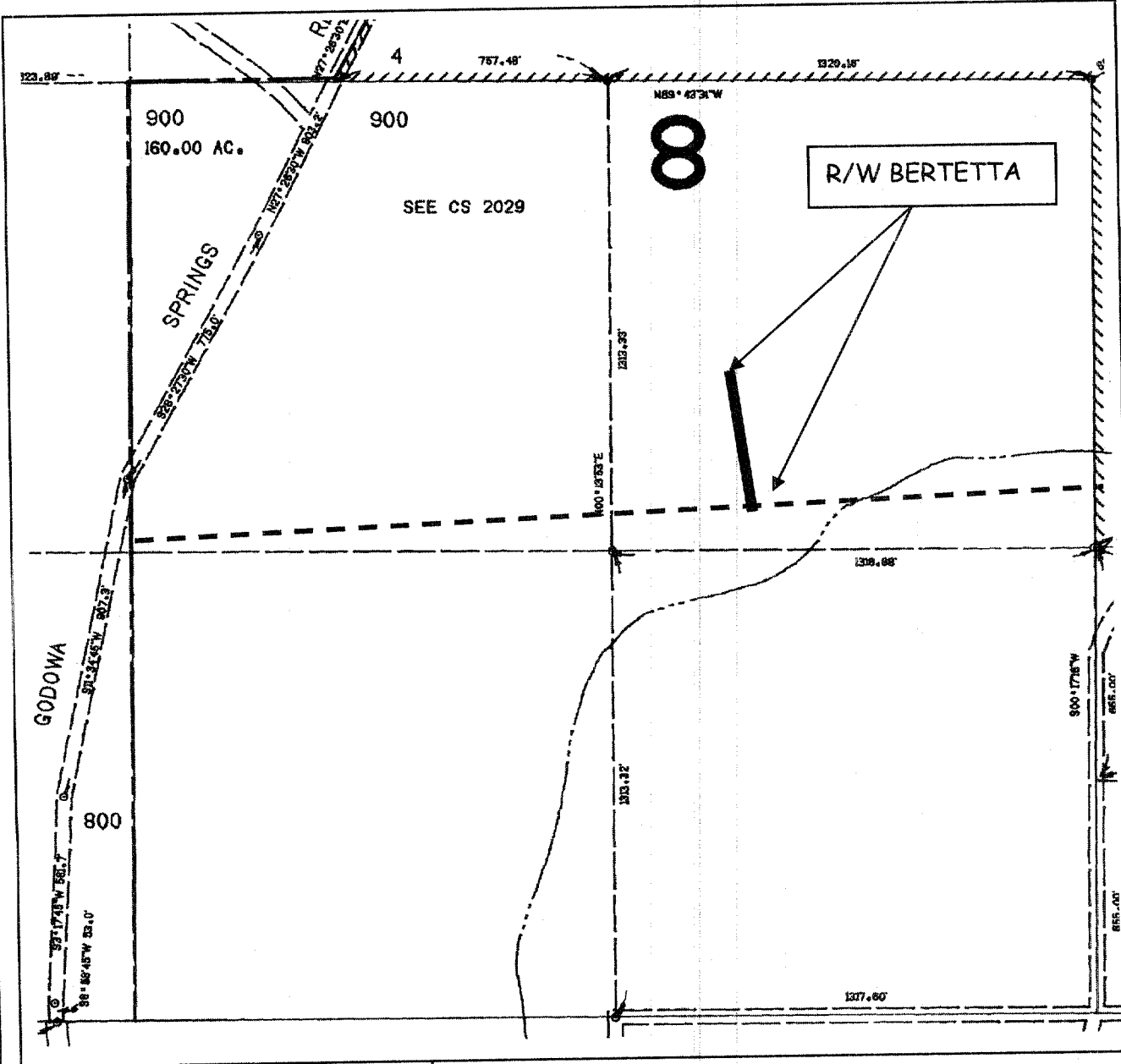


  
SIGNATURE OF NOTARY

Property Description

Section: E 1/2 SW 1/4 and the W 1/2 SE 1/4 S23  
WILLAMETTE Meridian  
County: KLAMATH State: OREGON  
Parcel Number: \_\_\_\_\_

Township: 35S Range: 12E



CC#:11176 WO#:2857680

Landowner Name: BERTETTA

Drawn by: HINKEL

EXHIBIT A

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.

PacifiCorp

SCALE: NTS

Property Description



After recording return to:  
Bertetta Living Trust  
1300 Industrial Rd, Ste 2  
San Carlos, CA 94070

Until a change is requested all tax statements  
shall be sent to the following address:  
Bertetta Living Trust  
1300 Industrial Rd, Ste 2  
San Carlos, CA 94070

File No.: 7021-651439 (SAC)  
Date: August 16, 2005

M05-64321  
Klamath County, Oregon  
09/15/2005 12:20:02 PM  
Pages 2 Fee: \$26.00

STATUTORY WARRANTY DEED

Charles W. Houston and Jeannette J. Houston as tenants by the entirety, Grantor, conveys and warrants to Fred C. Bertetta Jr., and Bonnie Jean Bertetta, Trustees of the Bertetta Living Trust, dated January 17, 1990., Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Parcel 1: E 1/2 SW 1/4 and the W 1/2 SE 1/4 of Section 23, Township 35 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 2: NE 1/4 NW 1/4 of Section 26, Township 35 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

This property is free from liens and encumbrances, EXCEPT:

- 1. The 2005-2006 Taxes, a lien not yet payable.
- 2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

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.

CC#: 11176	<b>PacifiCorp</b>	SCALE: NTS	SHEET 1 OF 2
WO#: 2857680			
NAME: BERTETTA			
DRAWN BY: HINKEL			
<b>EXHIBIT B</b>			

Property Description

APN: 289609

Statutory Warranty Deed  
- continued

File No.: 7021-651439 (SAC)  
Date: 08/16/2005

The true consideration for this conveyance is \$350,000.00. (Here comply with requirements of ORS 93.030)

Dated this 24th day of August, 2005

Charles W. Houston  
Charles W. Houston

Jeannette J. Houston  
Jeannette J. Houston

STATE OF Oregon )  
County of Klamath )ss.  
)

This instrument was acknowledged before me on this 24th day of August, 2004  
by Charles W. Houston and Jeannette J. Houston.



Sarah Wiseman  
Notary Public for  
my commission expires:

CC#: 11176

WO#: 2857680

NAME: BERTETTA

DRAWN BY: HINKEL

EXHIBIT B

PacifiCorp

SCALE: NTS

SHEET 2 OF 2