

20054214

2007-004938

Klamath County, Oregon



03/21/2007 11:36:55 AM

Fee: \$31.00

pt/c  
Verizon Wireless

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, **JWTR, LLC** the record owner(s) of the real property located in **Klamath** County, State of Oregon, more particularly described as:

**Portion:** SE 1/4 of the NW 1/4

**Section:** 28, **Township:** 27 South, **Range:** 08 East, Willamette Meridian

**Tax Map:** 27 08 28 **Tax Lot:** 100

for good and valuable consideration below listed, the receipt of which is acknowledged, do hereby grant unto Midstate Electric Cooperative, Inc., an Oregon cooperative corporation (hereinafter called the "Cooperative"), whose post office address is P.O. Box 127, La Pine, Oregon 97739, and to its successors and assigns, the following easement:

A 30-foot wide easement to install, modify and maintain **electrical facilities** lying 15 feet on each side of the following described Centerline:

Commencing at a 5/8" iron rod set in Klamath County Survey No. 3734, representing the Southwest corner of the Southeast 1/4 of the Northwest 1/4 of Section 28, Township 27 South, Range 8 East of the Willamette Meridian, thence N62°50'37"E a distance of 1292.20 feet; thence S89°50'46"E a distance of 25.00 feet to the Point of Beginning of the Centerline being described herein,

<p><b>EASEMENT BETWEEN</b></p> <p>_____</p> <p>_____</p> <p>_____</p> <p><b>AND</b></p> <p>Midstate Electric Cooperative, Inc. P.O. Box 127 La Pine, Oregon 97739</p> <p>After recording return to:</p> <p>Midstate Electric Cooperative, Inc. P.O. Box 127 La Pine, Oregon 97739</p>	<p>STATE OF OREGON, County of _____) ss.</p> <p>I certify that the within instrument was received for record on the ____ day of _____, 20____, at _____ o'clock _____M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of _____ of said county. Witness my hand and seal of County affixed.</p> <p>_____ Name Title</p> <p>By _____, Deputy</p>
---	--

31CA

thence S00°00'37"E a distance of 16.85 feet;  
thence S14°36'07"W a distance of 5.55 feet;  
thence S29°12'52"W a distance of 456.18 feet;  
thence N54°26'34"W a distance of 119.27 feet;  
thence N56°27'28"W a distance of 56.05 feet;  
thence N73°15'23"W a distance of 39.73 feet;  
thence S85°00'00"W a distance of 6.25 feet, more or less, to a point on the East  
right-of-way of the Southern Pacific Railroad; (as the Centerline crosses this railroad  
right-of-way, it is covered by separate RR permit, it then continues on said Taxlot  
100 as follows)

**together with**

Commencing once again at the said 5/8" iron rod representing the Southwest corner of  
the Southeast 1/4 of the Northwest 1/4 of said Section 28; thence N64°12'01"E a  
distance of 623.72 feet to a point on the West right-of-way of said railroad; thence  
N64°40'50"W a distance of 139.43 feet; thence S44°44'44"W a distance of 143.51 feet  
to the terminus of the Centerline and the above described easement, containing 0.45  
acres, more or less;

and to lay, construct, operate and maintain an electrical transmission and/or distribution line or system, electrical,  
cable, telecommunications and other utility facilities on or under the above-described real property and/or in,  
upon, or under all streets, roads or highways abutting said real property; to inspect and make such repairs,  
changes, alterations, improvements, removals from, or substitutions and additions to its facilities as Cooperative  
may from time to time deem advisable, including, by way of example and not by way of limitation, the right to  
increase or decrease the number of conduits, wires, cables, handholes, manholes, transformers, connection  
boxes, transformer enclosures, concrete pads, attachments, equipment, accessories and appurtenances thereto  
desirable in connection therewith, hereinafter referred to as the "facilities"; to cut, trim and control the growth by  
machinery or otherwise of trees and shrubbery located within the easement, or that may otherwise interfere with  
or threaten to endanger the operation and maintenance of said line or system (including any control of the growth  
of other vegetation in the right-of-way which may incidentally or necessarily result from the means of control  
employed); to keep the easement clear of all buildings, structures or other obstructions; and to license, permit or  
otherwise agree to the joint use of occupancy of the lines, poles, system or, if any said system is placed  
underground, of the trench related to underground facilities, by any other person, association or corporation.

The undersigned agree that all poles, wires or other facilities including any main service entrance  
equipment, installed in, upon or under the above-described lands at the Cooperative's expense shall remain the  
property of the Cooperative, removable at the option of the Cooperative.

The undersigned further covenant that they are the owners of the above-described real property and  
that the said real property is free and clear of encumbrances and liens of whatsoever character except those held  
by the following persons:

---

---

---

THE TRUE CONSIDERATION FOR THIS GRANT OF EASEMENT IS PROVISION FOR ELECTRIC  
SERVICE.

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 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.

WITNESS THE HAND OF SAID GRANTOR(S)  
on this 13<sup>th</sup> day of March, 2007

Craig B. Ditman  
Grantor

\_\_\_\_\_  
Grantor

WITNESS THE HAND OF SAID GRANTOR(S)  
on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Grantor

\_\_\_\_\_  
Grantor

STATE OF OREGON; County of Klamath ) ss.

The foregoing instrument was acknowledged before me  
this 13<sup>th</sup> day of March, 2007

by Craig B. Ditman

Notary Public for Oregon

My Commission expires: May 6, 2008

STATE OF OREGON; County of \_\_\_\_\_ ) ss.

The foregoing instrument was acknowledged before me  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

by \_\_\_\_\_

Notary Public for Oregon \_\_\_\_\_

My Commission expires: \_\_\_\_\_

