

2007-014440

Klamath County, Oregon



00029236200700144400040041

08/16/2007 09:05:22 AM

Fee: \$56.00

RECORDING REQUESTED BY:

GRANTOR: Vincent D. Herr and
Samantha L. Herr

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#: 02978612

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, March 28, 2007 ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 10 feet in width and 600 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of Grantee's 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 therefore; and pads, transformers, switches, cabinets, vaults on, across, or under the surface of the real property of Grantor in Klamath County, State of Oregon, more particularly described as follows and/or shown on Exhibit(s) A B attached hereto and by this reference made a part hereof:

Said property generally located in the SW 1/4, SE 1/4 of Section 9 Township 39 S Range 10 E of the Willamette Meridian and more specifically described in Volume M 77 Page 15003 in the official records of Klamath County.

Assessor's Map No. R-3910-00900-01000-000 Tax Parcel No. 900

Together with the right of access, for Grantee, its contractors, or agents, 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 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 21 day of May, 2007.

Vincent D. Herr
Vincent D. Herr (Grantor)

Samantha L. Herr
Samantha L. Herr (Grantor)

INDIVIDUAL ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } ss

On May 22, 2007 before me, Michelle Valencia (Notary)
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Samantha L. Herr, Vincent D. Herr
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.



Michelle Valencia
SIGNATURE OF NOTARY

Property Description

SE 1/4 SE 1/4

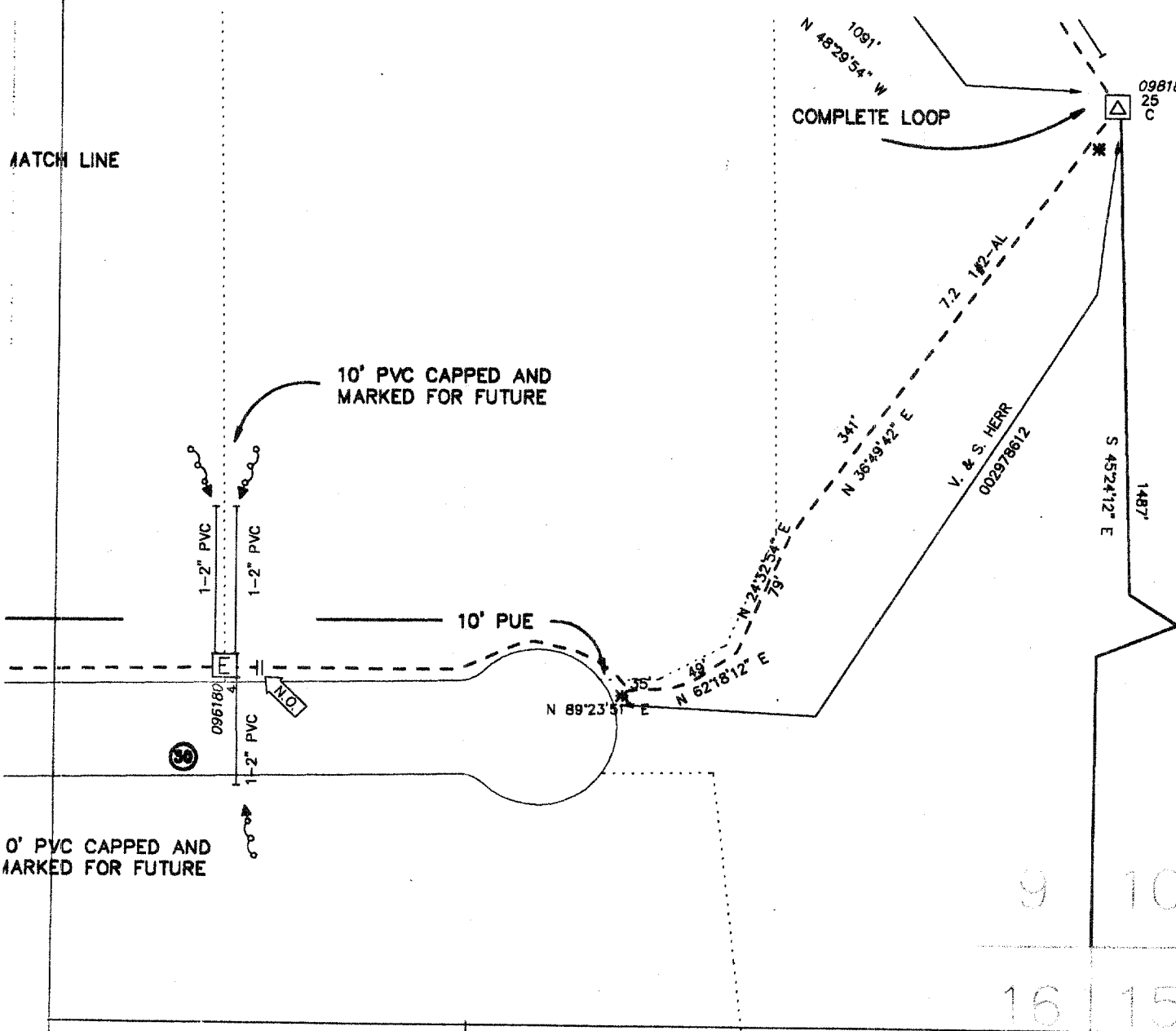
Section: 9 Township: 39 S (N or S), Range: 10 E (E or W) Willamette Meridian

County: Klamath State: Oregon

Parcel Number: R-3910-00900-01100-000



MATCH LINE



CC#: 11176 WO#: 002978612

Landowner Name: V. & S. Herr

Drawn by: Bill Olsen

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

Property Description

87750

WILLIAM HERR

Page 2 of 2
1997 (300)

ALAN K. HERR and DONNA HERR, Grantor(s) hereby grant, bargain, sell and convey to VINCENT D. HERR and VALINDA L. HERR, husband and wife, Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of Klamath and State of Oregon, to wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE SUBJECT TO: all those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any; and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

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.

The true and actual consideration for this conveyance is \$ 81,250.00

Until a change is requested, all tax statements shall be sent to Grantee at the following address: 3928 VALINDA, KLAMATH FALLS, OR 97603

Dated this 14th day of May 1997


ALAN K. HERR


DONNA HERR

STATE OF Nevada SS. May 14 19 97
COUNTY OF Gwashua

Personally appeared the above named Alan K. Herr + Donna Herr

and acknowledged the foregoing instrument to be their voluntary act.

Before me:


Notary Public for Nevada
My commission expires 2001



RECORD NO. MT38451-MS

Return to:
VINCENT D. HERR
3928 VALINDA
KLAMATH FALLS, OR 97603

CC#: WO#: 11176 002978612
Landowner Name: V+S Herr

EXHIBIT B

 **PACIFIC POWER**
A PACIFICORP COMPANY