

**2007-014442**

**Klamath County, Oregon**



00029238200700144420060068

08/16/2007 09:06:23 AM

Fee: \$46.00

RECORDING REQUESTED BY:

GRANTOR: Matthew P. Andrews,  
John S. Morawiec, Gregory L.  
Imrich and Eric W. Campbell

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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UNDERGROUND RIGHT OF WAY EASEMENT

For value received, Matthew P. Andrews, John S. Morawiec as common to parcel 1 and Gregory L. Imrich and Eric W. Campbell as common to parcel 2 ("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 4400 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 attached hereto and by this reference made a part hereof:

Said property generally located in the N 1/2 of section 32 and the N 1/2 of Section 33 Township 39S Range 11E of the Willamette Meridian and more specifically described in Volume M05 Page 50793 in the official records of Klamath County.

Assessor's Map No. R-3911 E Tax Parcel No. 09200, 09201, 00900

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 9 day of July, 2007.

Matthew P. Andrews  
Matthew P. Andrews (Grantor)

John S. Morawiec  
John S. Morawiec (Grantor)

Gregory L. Imrich  
Gregory L. Imrich (Grantor)

Eric W. Campbell  
Eric W. Campbell (Grantor)

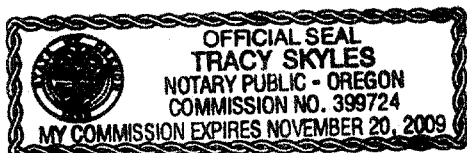
INDIVIDUAL ACKNOWLEDGEMENT

State of Oregon }  
County of Klamath } ss

On July 9, 2007 before me, Tracy Skyles, Notary Public  
Name, Title or Office (eg Jane Doe, Notary Public)

personally appeared Matthew P. Andrews, John S. Morawiec, Gregory L. Imrich, Eric W. Campbell  
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

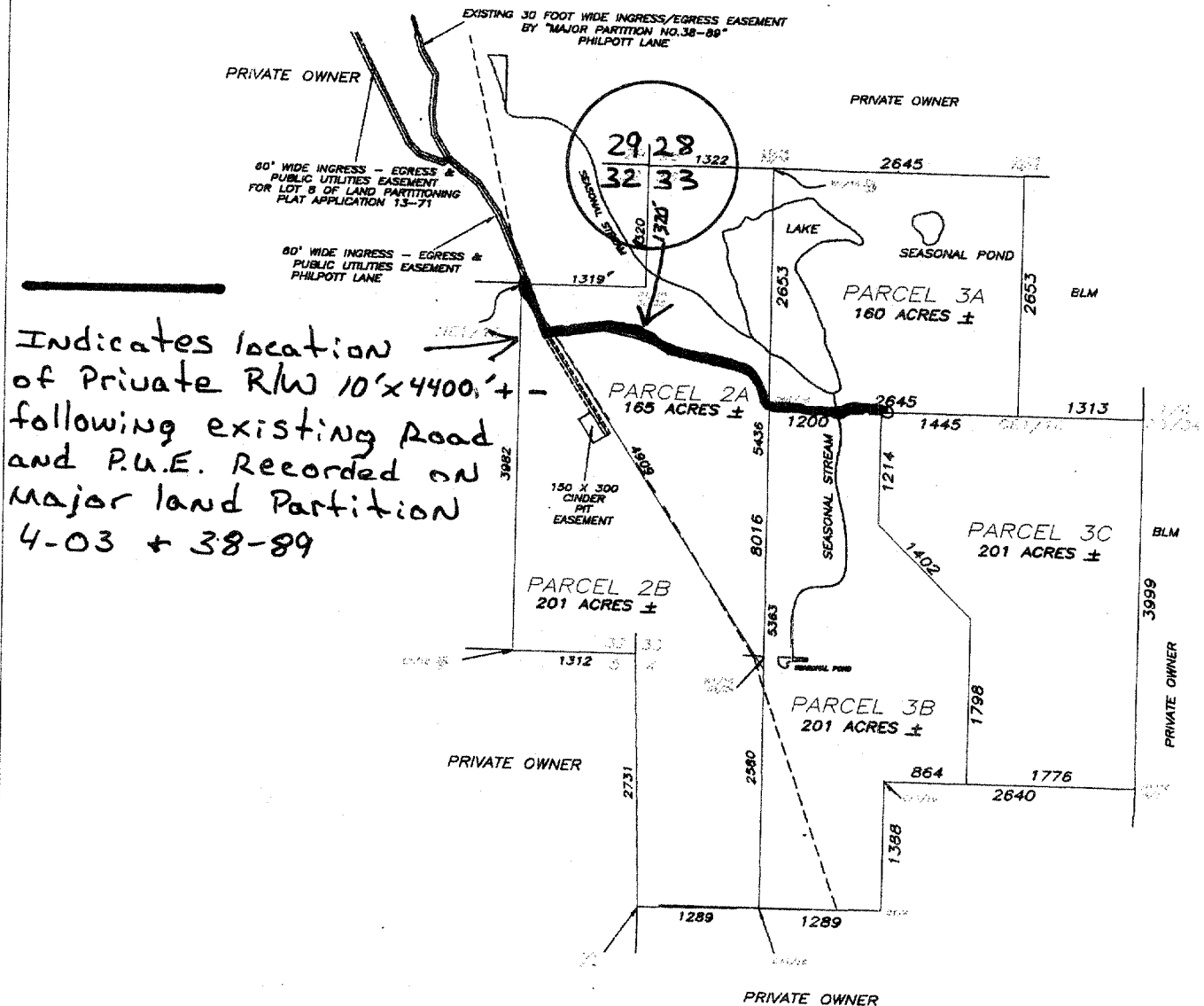


WITNESS my hand and official seal.

Tracy Skyles Nov. 20, 2009  
SIGNATURE OF NOTARY

# Property Description

Section: NE 1/2 32  
NW 1/2 33 Township: 39 S (N or S), Range: 11 E (E or W) Willamette Meridian  
County: Klamath State: OR  
Parcel Number: 2A, 2B, 3A, 3B  
Philpott Lane  
Bonanza Oregon



CC#: 11176 WOH: 002663294

Landowner Name:

Drawn by: Rinalda

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

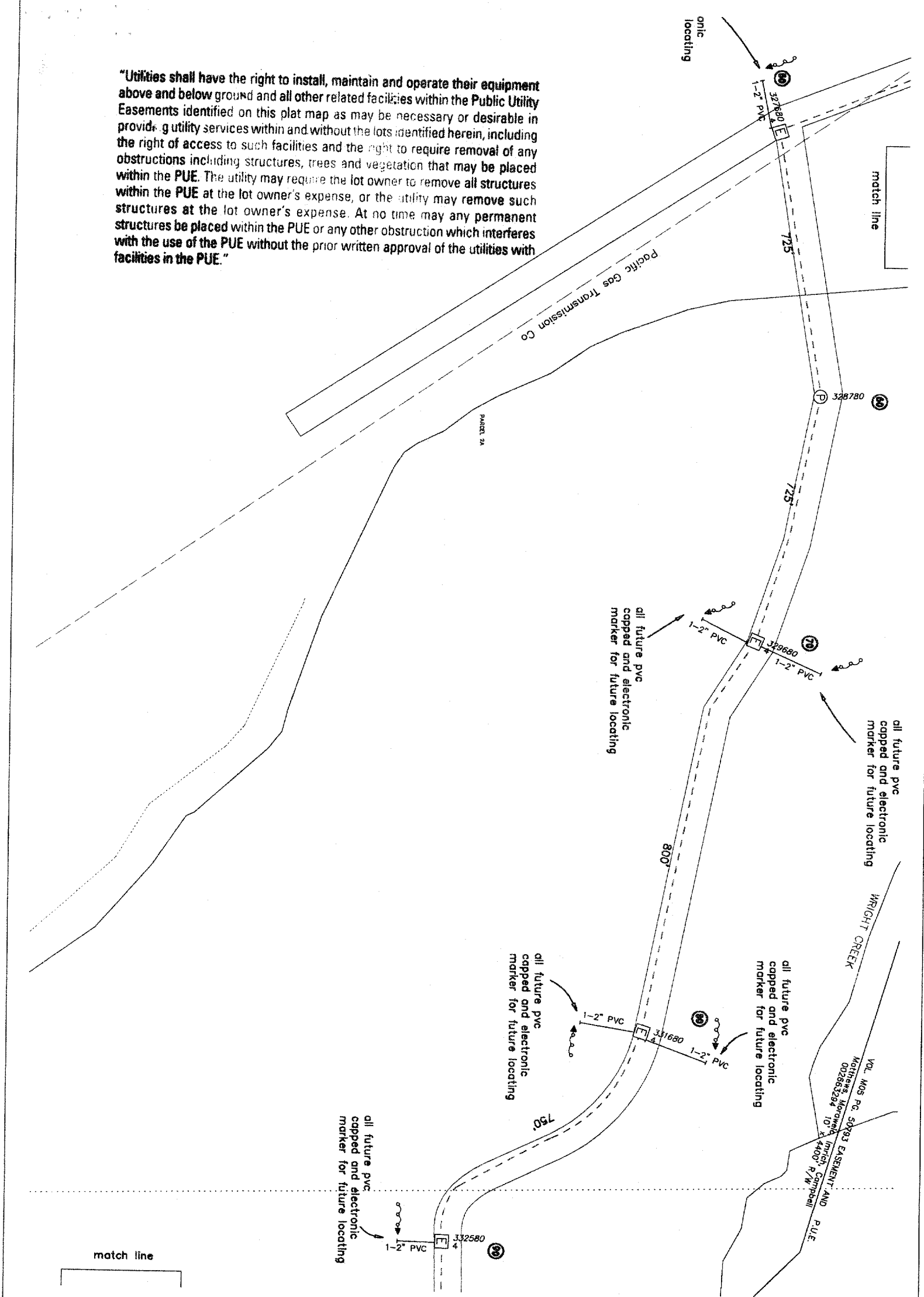
## PacifiCorp

SCALE: N.T.S.

1 of 3

"Utilities shall have the right to install, maintain and operate their equipment above and below ground and all other related facilities within the Public Utility Easements identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. The utility may require the lot owner to remove all structures within the PUE at the lot owner's expense, or the utility may remove such structures at the lot owner's expense. At no time may any permanent structures be placed within the PUE or any other obstruction which interferes with the use of the PUE without the prior written approval of the utility. Facilities in the PUE."

"Utilities shall have the right to install, maintain and operate their equipment above and below ground and all other related facilities within the Public Utility Easements identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. The utility may require the lot owner to remove all structures within the PUE at the lot owner's expense, or the utility may remove such structures at the lot owner's expense. At no time may any permanent structures be placed within the PUE or any other obstruction which interferes with the use of the PUE without the prior written approval of the utilities with facilities in the PUE."



Foreman		Emp #	Job Start Date	
CC#	WO# / REQ#	Map String	Job Complete Date	
11176	002663294	01439011.0		
CUSTOMER : MATT ANDREWS ADDRESS : END OF PHILPOIT LN BONANZA			Circuit 5L7	Post Jobs <input type="checkbox"/> Roll <input type="checkbox"/> Posted <input type="checkbox"/>
EST ID# 63210		Print Date 06/15/07	Scale 1"=200'	



2 of 3

EXHIBIT A

This drawing is preliminary and 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.

match line

800'

100' AGS PG. 50793 EASEMENT AND P.U.E.  
002663294 10' x 4400' R/W  
McIntosh, Macomber, Ingham, Campbell

all future pvc  
capped and electronic  
marker for future locating

1-2" PVC

1-2" PVC

333480

1-2"

end of project  
requires 2" pvc future  
from last vault location

"Utilities shall have the right to install, maintain and operate their equipment above and below ground and all other related facilities within the Public Utility Easements identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. The utility may require the lot owner to remove all structures within the PUE at the lot owner's expense, or the utility may remove such structures at the lot owner's expense. At no time may any permanent structures be placed within the PUE or any other obstruction which interferes with the use of the PUE without the prior written approval of the utilities with facilities in the PUE."

Foreman

Emp #

Job Start Date

CC#

WO# / REQ#

Map String

Job Complete Date

11176

002663294

01439011.0

CUSTOMER : MATT ANDREWS  
ADDRESS : END OF PHILPOTT LN  
BONANZA

Circuit  
5L7

Post Jobs ☐  
RQH ☐  
Posted ☐



**PACIFICORP**  
A MIDAMERICAN ENERGY HOLDINGS COMPANY

3 OF 3

EST ID#  
63210

Print Date  
06/15/07

Scale  
1"=200'

**EXHIBIT A**

This drawing is preliminary and 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.

# Property Description

01:11:51 PM 05/05/05



MTL - 64746 M1

Vol M05 Page 50793

THIS SPACE RESERV

State of Oregon, County of Klamath  
Recorded 07/05/05 11:16 AM  
Vol M05 Pg 50793-99  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2

After recording return to:  
GREGORY L. IMRICH

3524 Collier, Ln.  
Klamath Falls, OR 97603

Until a change is requested all  
tax statements shall be sent to  
The following address:

GREGORY L. IMRICH  
3524 Collier, Ln.  
Klamath Falls, OR 97603

Escrow No. MT69996-TM

## STATUTORY WARRANTY DEED

LAWRENCE PAUL LEAHY, Grantor(s) hereby convey and warrant to GREGORY L. IMRICH AND ERIC W. CAMPBELL, AS TENANTS IN COMMON, AS TO PARCEL 1; MATTHEW P. ANDREWS AND JOHN S. MORAWIEC, AS TENANTS IN COMMON AS TO PARCEL 2, Grantee(s) the following described real property in the County of KLAMATH and State of Oregon, free of encumbrances except as specifically set forth herein:

### PARCEL 1:

Parcel 2 of Land Partition 4-03, being a replat of Parcel 2 of Major Land Partition No. 38-89, situated in the South 1/2 South 1/2 of Section 29, The East 1/2 of Section 32, and in Section 33, Township 39 South, Range 11 East of the Willamette Meridian and the N 1/2 of Section 4, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

Tax Account No: 3911-00000-09201-000  
Tax Account No: 4012-00000-00900-000

Key No: 890246  
Key No: 626978

### PARCEL2:

Parcel 3 of Land Partition 4-03, being a replat of Parcel 2 of Major Land Partition No. 38-89, situated in the South 1/2 South 1/2 of Section 29, The East 1/2 of Section 32, and in Section 33, Township 39 South, Range 11 East of the Willamette Meridian and the N 1/2 of Section 4, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

Tax Account No: 3911-00000-09200-000  
Tax Account No: 4012-00000-00901-000

Key No: 605107  
Key No: 890245

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.

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.

Dated this 22<sup>nd</sup> day of June, 2005.

LAWRENCE PAUL LEAHY

EXHIBIT "B"