

2008-001486

Klamath County, Oregon



00039593200800014860060067

02/05/2008 11:16:42 AM

Fee: \$46.00

RECORDING REQUESTED BY:

GRANTOR: PBRE 2 Corporation

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#: 05028086

RIGHT OF WAY EASEMENT

For value received, PBRE 2 Corporation, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way ^{10' 6"} 10 feet in width and 720 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of Grantee's electric power transmission, 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 therefore; and pads, transformers, switches, vaults and cabinets, 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/or shown on Exhibit(s) A attached hereto and by this reference made a part hereof:

Said property generally located in the NW ¼ of NW ¼ of Section 8, Township 39S, Range 9E, of the Willamette Meridian and more specifically described in Volume 2007, Page 02371 in the official records of Klamath County.

Assessor's Map No. R-3909-008BC-01000 Tax Parcel No. R-3909-008BB-0066

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 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, material or vegetation 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.

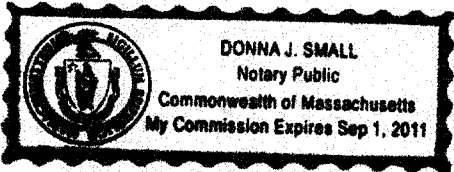
The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns. DATED this _____ day of _____, 20____.

Devin C. Grantor
PBRE 2 Corporation Grantor

REPRESENTATIVE ACKNOWLEDGEMENT

State of Massachusetts }
County of Suffolk } ss
On Nov 12, 2007 before me, Donna J. Small, Notary Public
Name, Title or Officer (eg Jane Doe, Notary Public)
personally appeared Scott Hagg
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.

Donna J. Small
SIGNATURE OF NOTARY

Property Description

Section: ^{NW 1/4} 8 Township: 39S (N or S) Range: 9E (E or W) Willamette Meridian
County: Klamath State: OR
Parcel Number: R-3909-008 BB-00600-000



EXHIBIT A
LUMBERMENS POWER EASEMENT

A strip of land situated in the NW1/4 of Section 8, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon. Said strip of land being ten feet wide, five feet on either side of the following described centerline:

Commencing at the North 1/4 corner of said Section 8, thence South 60°25'41" West, 2051.24 feet to a point on the southerly right-of-way line of Greensprings Drive, said point being the TRUE POINT OF BEGINNING; thence South 50°23'57" East, 279.79 feet to a point of curvature; thence along the arc of a 30.00 foot radius curve to the right, through a central angle of 50°37'24" (the long chord of which bears South 25°05'18" East, 25.65 feet) an arc distance of 26.51 feet; thence South 00°13'24" West, 381.01 feet to the point of terminus, said point bears South 44°20'56" West, 2230.35 feet from said North 1/4 of said Section 8.

CC#: 11176 WO#: 005028086
Landowner Name: PBRE2-Corp
Drawn by: B. Olden

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

EXHIBIT MAP

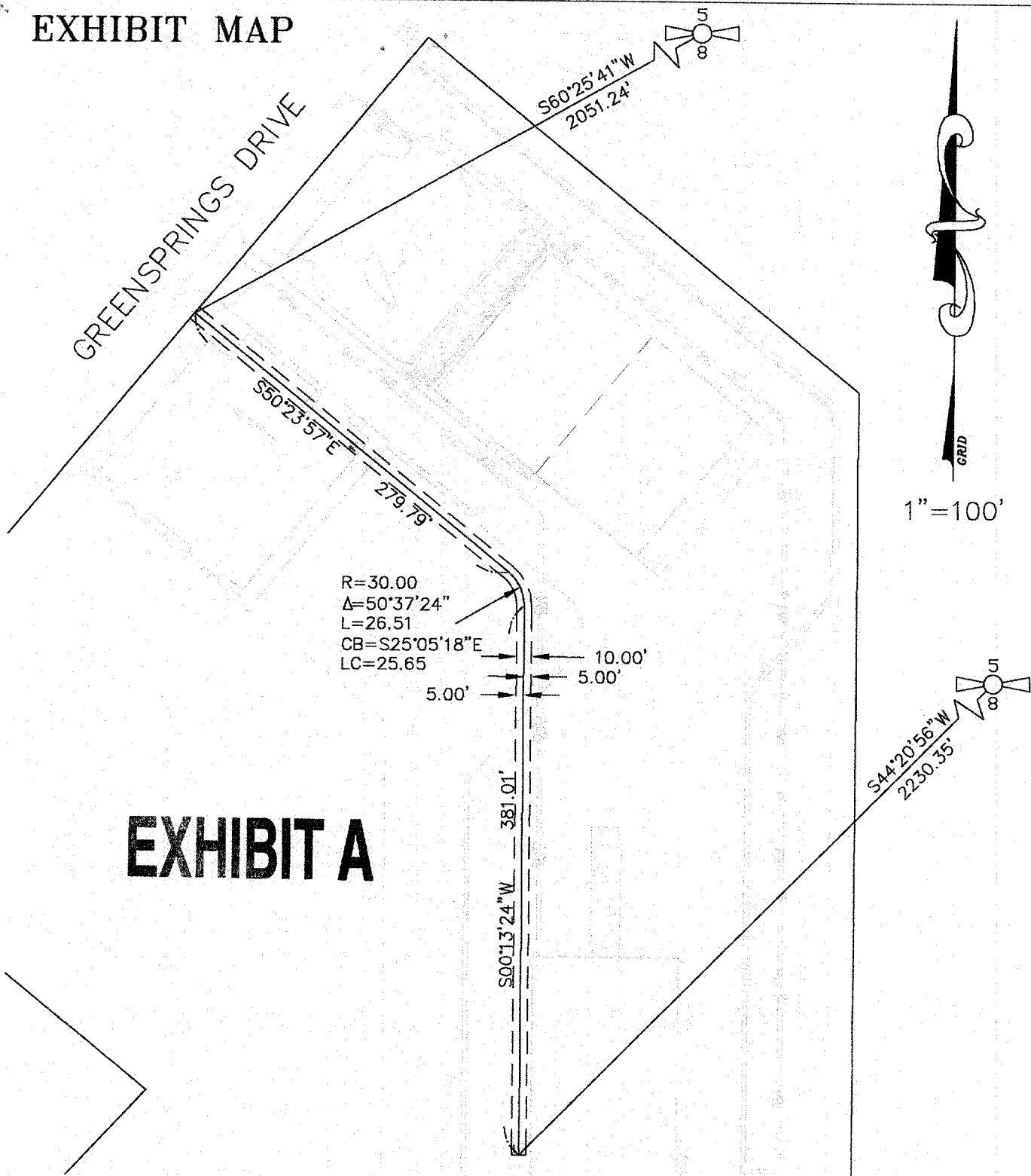


EXHIBIT A

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Keith R. Rhine

OREGON
JULY 11, 2000
KEITH R. RHINE
58985

RENEWAL DATE: 12-31-08

R-C
GROUP

RHINE-CROSS GROUP_{LLC}

ENGINEERING - SURVEYING - PLANNING
430 WALNUT AVE - P.O. BOX 909
KLAMATH FALLS, OREGON 97601

Phone: (541) 851-9405

Fax: (541) 273-9200

admin@rc-grp.com

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Property Description

Andrea Duncliffe
McDermott Will & Emery
340 Madison Avenue
New York, New York 10017

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

PBRE2 Corporation
82 Devonshire, R7A
Boston, Massachusetts 02190

WARRANTY DEED

Lumbermens, Inc., a Washington corporation, Grantor, hereby conveys and warrants to PBRE2 Corporation, a Delaware corporation, Grantee, the following described real property in the County of Klamath and State of Oregon free of encumbrances except as specifically set forth herein:

See Exhibit "A" which is made a part hereof by this *reference*

The above-described property is free of encumbrances except all those items listed on attached Exhibit "B".

The true and actual consideration for this conveyance is: \$10.00 and other valuable consideration.

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.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS

NYK 1074866-1.047187.0039

CC#: 11176	PacifiCorp	SCALE: NTS	SHEET OF
WO#: 005028086			
NAME: PBRE2-Corp			
DRAWN BY: B. Oude			
EXHIBIT B			