

2008-014226

Klamath County, Oregon



00054858200800142260050054

10/17/2008 08:46:45 AM

Fee: \$41.00

RECORDING REQUESTED BY:

GRANTOR: The Hamilton Family,
2001 LLC

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

RECEIVED JUL 16 2008

RIGHT OF WAY EASEMENT

Return to:
Pacific Power
c/o Bill Olden
1950 Mallard Lane
Klamath Falls, OR 97601

CC#: 11176 CC#: 11176 WO#: 005174686

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **The Hamilton Family 2001 LLC**, an Oregon limited liability company, ("Grantor"), hereby grants to **PacifiCorp**, an Oregon corporation, its successors and assigns, ("Grantee"), a perpetual easement for a right of way ten feet (10') in width and one thousand six hundred fifty feet (1650') 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 therefor; and pads, transformers, switches, cabinets, vaults on, across, or under the surface of the real property of Grantor in **Klamath County, State of Oregon**, as more particularly described as follows and as shown on Exhibit A attached hereto and by this reference made a part hereof:

A portion of:

SE ¼ of the NE ¼, Section 30, Township 39 South, Range 13 East,
Willamette Meridian, Klamath County, Oregon.

Assessor's Map No. R-3913-03000-00500-000

Parcel No. R586930

Together with the right of ingress and egress 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 therefor) 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 and shall run with the land.

Dated this 15 day of July, 2008.

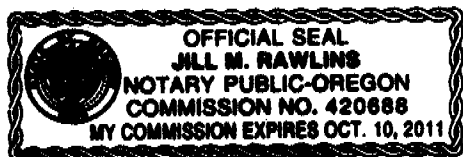
THE HAMILTON FAMILY 2001 LLC

By: Andrew S. Hamilton
Its: Manages, Hamilton Family LLC
GRANTOR

REPRESENTATIVE ACKNOWLEDGEMENT

STATE OF OREGON)
)ss
COUNTY OF Klamath)

This instrument was acknowledged before me on this 15 day of July, 2008
by Andrew S. Hamilton as Managing Member of **The Hamilton Family 2001 LLC**,
an Oregon limited liability company.



[Seal]

Jill M. Rawlins
Notary Public
My commission expires: 10/10/11

Property Description

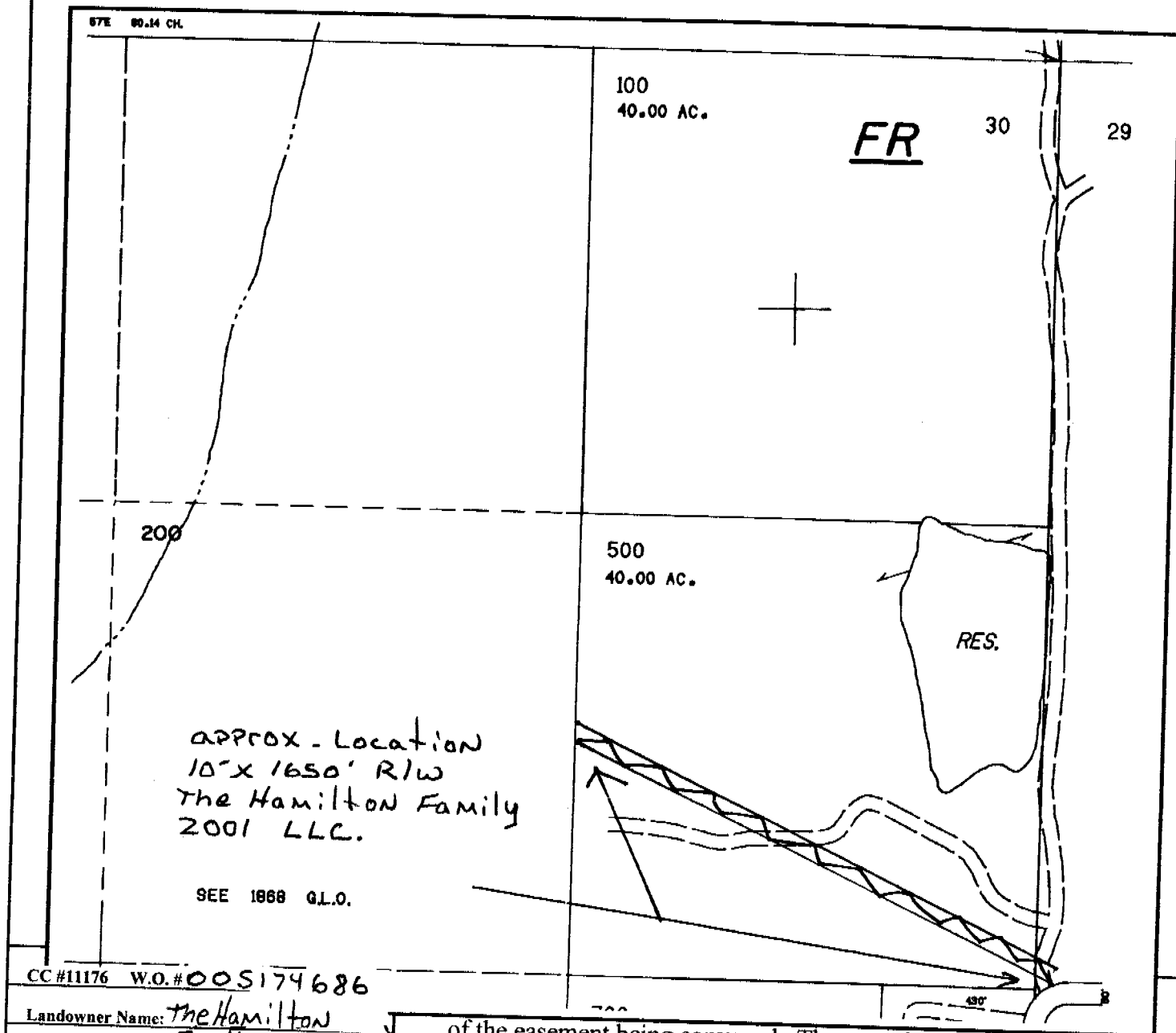
State: Oregon **County: Klamath**

Section: 30 Township: 39S Range: 13E

Willamette Meridian

Parcel Number: R-3913-03000-00500-000

NORTH



CC #11176 W.O.# 005174686

Landowner Name: The Hamilton Family 2001 LLC

Drawn by: B.Olden

EXHIBIT A

NOT TO SCALE

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.



PACIFIC POWER
A PACIFICORP COMPANY

Property Description

APR-24-2008 11:39

AMERITITLE

T 541 882 0620

P.039

'02 JAN 31 AM 10:17

Vol M02 Page 6084

After Recording Return to:
Bryon L. Land
Arnold Gallagher Saydack Percell, Roberts & Potter, P.C.
800 Willamette Street, Suite 800
Eugene, OR 97401

Until a Change is Requested
Mail Tax Statements To
No Change

GRANTORS:
G. Roger Hamilton
Karen S. Hamilton
511 Brookside Drive
Eugene, Oregon 97405

GRANTEE:
The Hamilton Family 2001 LLC
511 Brookside Drive
Eugene, Oregon 97405

STATUTORY SPECIAL WARRANTY DEED

G. Roger Hamilton and Karen S. Hamilton, husband and wife, hereinafter called Grantors, hereby convey and specially warrant to The Hamilton Family 2001 LLC, an Oregon limited liability company, hereinafter called Grantee, and all of Grantee's heirs, successors and assigns, that certain real property with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, free of all encumbrances created or suffered by Grantor except as specifically set forth herein, including all interest of the Grantors in that certain Lease and Option to Purchase Real Property dated May 30, 1989, a memorandum of which is recorded in the records of Klamath County, Oregon in Volume No. M89 at Page 9531, reference to that recorded memorandum hereby being expressly made, together with all the right, title and interest of Grantors and into the real estate described therein, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

See Exhibit A attached hereto and by this reference specifically made a part hereof.

To Have and to Hold the same unto the Grantee and Grantee's heirs, successors and assigns forever. And the Grantors hereby covenant to and with the Grantee and Grantee's heirs, successors and assigns that the real property is free from encumbrances created or suffered by Grantors except easements, Right-of-Ways, Protective Covenants, conditions, restrictions and other matters of record as of the date hereof. The true and actual consideration for this conveyance stated in dollars is NONE. The conveyance is made as a capital contribution by each Grantor of his or her interest in the subject property to the Grantee in exchange for separate ownership interests without rights of survivorship.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to companies and to individuals.

SPECIAL STATUTORY WARRANTY DEED - 1

NVF - The Hamilton Family 2001 LLC, The 13691 LLC Formation 13691-1\Documents\special stat. warr. deed.R&K.123101.wpd

State of Oregon, County of Klamath
Recorded 01/31/2002 10:17 a.m.
Vol M02, Pg 6084-6086
Linda Smith, County Clerk
Fee \$ 31.42 # of Pgs 3

CC#: 11176 WO#: 005174686

Landowner Name: The Hamilton

Family 2001 LLC

EXHIBIT B

 **PACIFIC POWER**
A PACIFICORP COMPANY