

2008-014228

Klamath County, Oregon



00054860200800142280050056

10/17/2008 08:48:21 AM

Fee: \$41.00

RECORDING REQUESTED BY:

GRANTOR: Douglas Kirby and
Susan Kirby, husband and wife

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

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, **DOUGLAS KIRBY and SUSAN KIRBY**, husband and wife, ("Grantor"), hereby grants to **PacifiCorp**, an Oregon corporation, its successors and assigns, ("Grantee"), a perpetual easement for a right of way ten feet (10') one thousand, one hundred fifty feet (1,150') 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:

The NE ¼ of the SE ¼ of Section 19, Township 39 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

Assessor's Map No. R-3913-00000-01001-000

Parcel No. R886396

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 11th day of July, 2008.

Douglas Kirby
Douglas Kirby



Susan A. Kirby
Susan Kirby GRANTOR

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF OREGON)
COUNTY OF WASHINGTON)ss

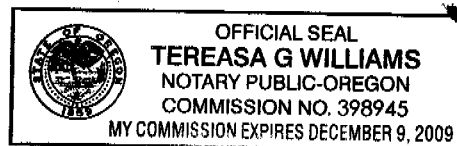
This instrument was acknowledged before me on this 11th day of July, 2008,
by Douglas Kirby and Susan Kirby.

Shirley G. Williams
Notary Public

Notary Public

[Seal]

My commission expires: 12-9-2009



Property Description

State: Oregon County: Klamath

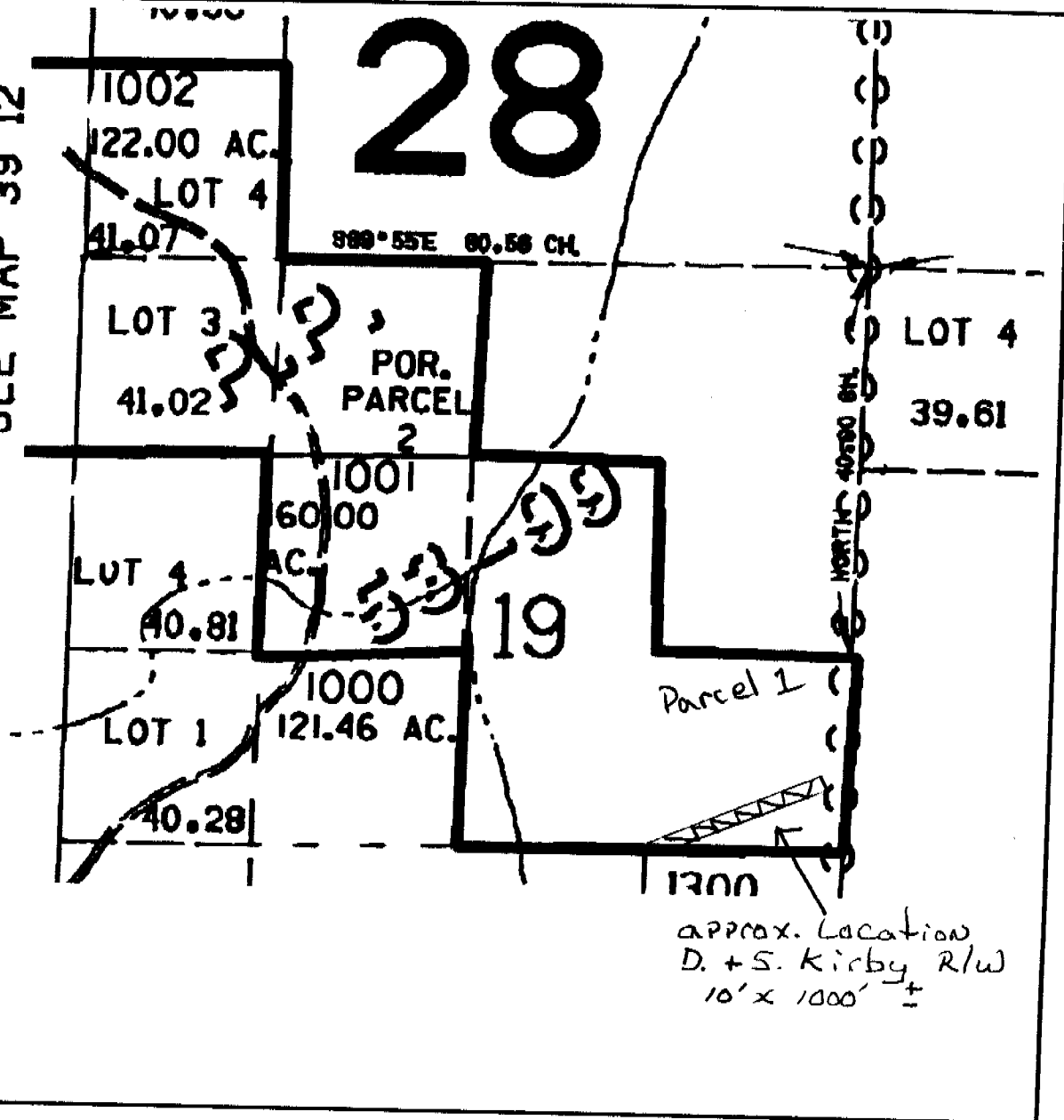
Section: 19 Township: 39S Range: 13E. Willamette Meridian

Parcel Number: R-3913-03000-01001-000

NORTH



SEE MAP 39 12



CC #11176 W.O.# 005174686

Landowner Name: Doug + Susan Kirby

Drawn by: Olden

EXHIBIT A

NOT TO SCALE

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.

PACIFIC POWER
A PACIFICORP COMPANY

Property Description

APR-24-2008 11:06

AMERITITLE

1 541 882 0620 P.006

FORM NO. 722 - BARGAIN AND SALE DEED (Individual or Corporate)

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Vol. M00 Page 39400
STATE OF OREGON, 1..
CIRCLE FIVE RANCH, INC. 200 OCT 27 PM 3:13
Grantor's Name and Address
DOUGLAS AND SUSAN KIRBY
%
Grantee's Name and Address
After recording, return to (Name, Address, Zip)
DOUGLAS AND SUSAN KIRBY
C/o Circle Five Ranch, 45850 Gerber Rd.
Bend, OR 97623
Full completed elsewhere, send all the statements to (Name, Address, Zip)
DOUGLAS AND SUSAN KIRBY
C/o Circle Five Ranch, 45850 Gerber Rd.
Bend, OR 97623
SPACE RESERVED FOR RECORDING USE
State of Oregon, County of Klamath
Recorded 10/27/00, at 3:13 p. m.
In Vol. M00 Page 39400
Linda Smith,
County Clerk Fees \$21.00 Deputy.
MTC 1396-2211

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that
CIRCLE FIVE RANCH, INC., an Oregon corporation
hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto
DOUGLAS KIRBY and SUSAN KIRBY, husband and wife
hereinafter called grantees, and unto grantees's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

Parcel 1 of Land Partition #53-99 in the SE1/4 of Section 13, Township 39 South, Range 12 East of the Willamette Meridian and the NE1/4, NW1/4, SE1/4 of Section 19, Township 39 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantees and grantees's heirs, successors and assigns forever.
The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 60 correct legal. However, the actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☐ the whole (indicate which) consideration. (The amount between the symbols \$, if not applicable, should be deleted. See ORS 93.050.)

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 corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on October 17, 2000; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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.

CIRCLE FIVE RANCH, INC.), an Oregon corporation

by: Deborah Kneschke
by: Christine Randall

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on

by This instrument was acknowledged before me on October 17, 2000

by Deborah Kneschke, Secretary

as Christine Randall, President

of CIRCLE FIVE RANCH, INC., an Oregon corporation



Kristi L. Reed
Notary Public for Oregon
My commission expires 11/16/2003