

2008-014234

Klamath County, Oregon



00054866200800142340030035

10/17/2008 08:54:57 AM

Fee: \$31.00

RECORDING REQUESTED BY:

GRANTOR: JELD-WEN, Inc.

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#: 05114550

RIGHT OF WAY EASEMENT

For value received, JELD-WEN, inc., ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 20 feet in width and 550 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 SW ¼ of SW ¼ of Section 24, Township 37C, Range 11.5E, of the Willamette Meridian and more specifically described in Volume M 84, Page 5152 in the official records of Klamath County.

Assessor's Map No. R-3711-V0000-03900-000

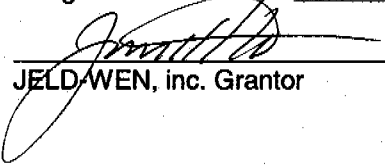
Tax Parcel No. 03900

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.

Grantee shall indemnify, protect, and hold harmless Grantor and its directors, officers, employees and agents (hereinafter collectively "Grantor Indemnified Parties") against and from any and all claims, demands, suits, losses, cost and damages of every kind and description, including attorney's fees and/or litigation expenses, brought or made against or incurred by the Grantor Indemnified Parties resulting from, arising out of, or in any way connected with any act, omission, fault or negligence of Grantee, its employees, agents, representatives or contractors, their employees, agents or representatives under this easement or in any way related to this easement except to the extent that such claim, demand, loss, cause of action, or cost arises from Grantor's negligence or willful misconduct.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns. DATED this 18th day of December, 2007.


JELD-WEN, inc. Grantor

Grantor

REPRESENTATIVE ACKNOWLEDGEMENT

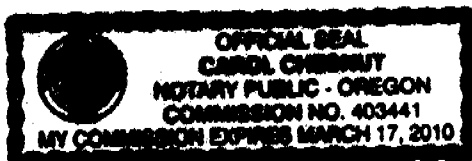
State of Oregon }

} ss


County of Klamath }

On December 18, 2007 before me, Carol Chesnut, personally appeared Jason de Vries.

☒ 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

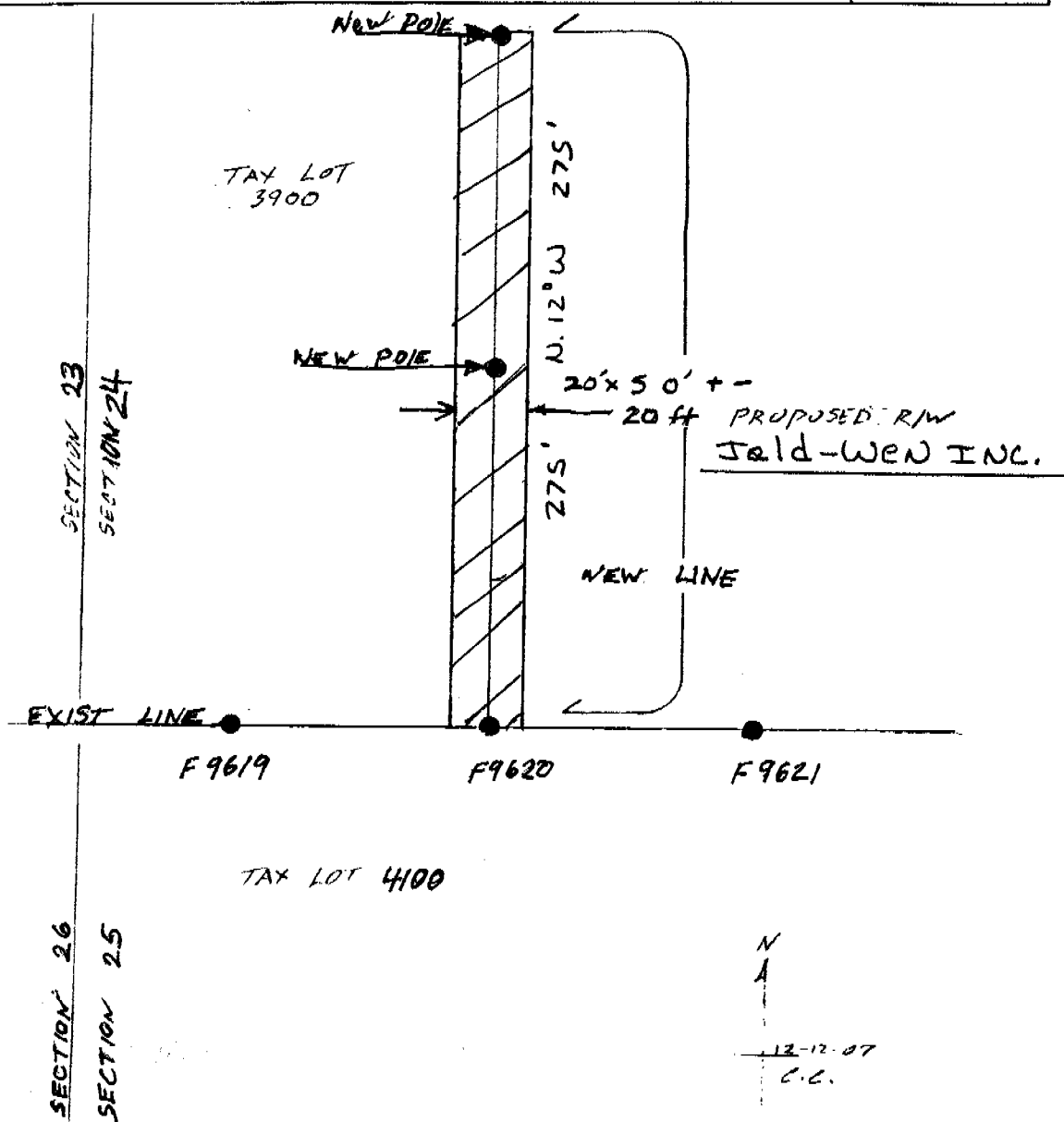


WITNESS my hand and official seal.


SIGNATURE OF NOTARY

Property Description

SW 1/4 SW 1/4
Section: 24 Township: 37 S (N or S), Range: 11.5 (E or W) Willamette Meridian
County: Klamath State: OR
Parcel Number: R-3711-00000-03900-000



CC#: 11176 WO#: 005114550
Landowner Name: Jeld-Wen Inc.
Drawn by: B. J. Jeld-Wen

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