

Return to:

Klamath Falls
Pacific Power
1950 Mallard Lane
Klamath Falls, Oregon 97601

2008-014309

Klamath County, Oregon

00054956200800143090030036

10/20/2008 01:16:50 PM

Fee: \$31.00

2009-001242

Klamath County, Oregon



00059670200900012420030037

02/03/2009 09:21:03 AM

Fee: \$31.00

CC#: 11176 WO#: 05229042

RIGHT OF WAY EASEMENT

For value received, **Cherry Creek Aggregate, Inc.** ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a perpetual easement for a right of way **20** feet in width and **500** 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 therefor; and pads, transformers, switches, vaults and cabinets, along the general course now located by Grantee on, over, 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:

A portion of:

S $\frac{1}{2}$ NW $\frac{1}{4}$ & N $\frac{1}{2}$ SW $\frac{1}{4}$

6E

NW of Section 23, Township 34S, Range 7E of the Willamette Meridian

Assessor's Map No. 3406-02300-00500-000

Parcel No. 500

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 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 and shall run with the land.

RE-RECORDING TO CORRECT

LEGAL DESCRIPTION TO 2008-014309

Page 1 of 2

Returned to County

Therese Cartwright

Dated this 20 day of October, 2008.

Rod Nielsen General Manager Krite River / Rogue Aggregates
Cherry Creek Aggregate, Inc. GRANTOR

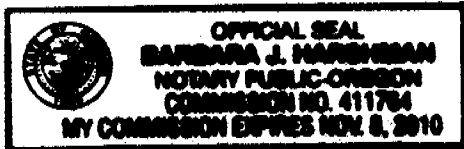
REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }
County of Jackson } SS.

This instrument was acknowledged before me on this 20 day of October, 2008,

by Rod Nielsen, as General Manager,
Name of Representative Title of Representative

of Cherry Creek Aggregates Inc.
Name of Entity on behalf of whom this instrument was executed



Barbara J. Hansen
Notary Public

My commission expires: 11-8-2010

Property Description

State: Oregon

County: Klamath

Section: 23

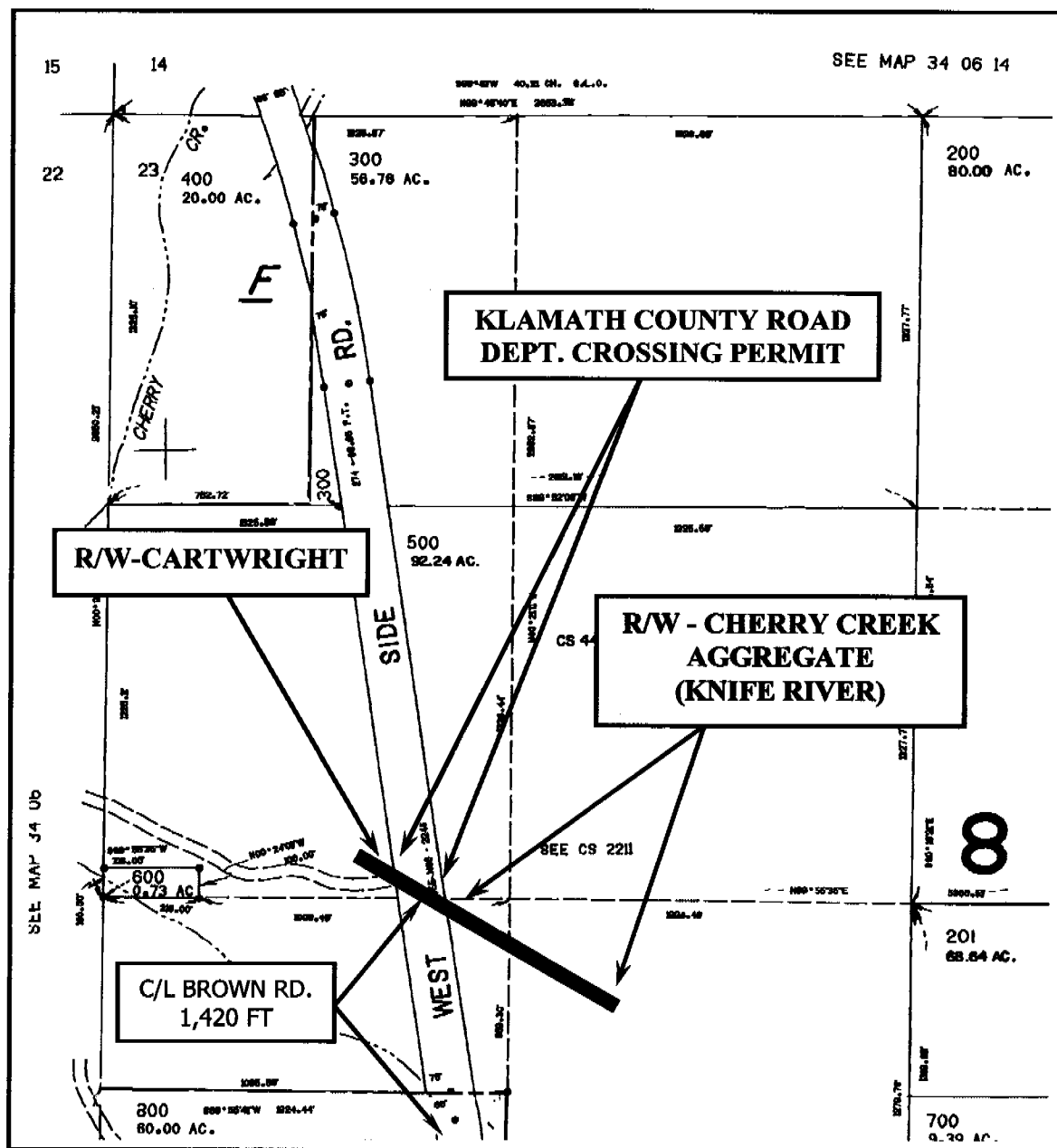
Township: 34S

Range: 6E

Willamette Meridian

Tax Parcel Number: 500

NORTH



CC #11176 W.O. #5229042

Landowner Name: CHERRY CREEK

Drawn by: Hinkel

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