

2009-006795

Klamath County, Oregon

Return to: *Pacific Power*
1950 Mallard Lane
Klamath Falls, Oregon 97601



00066079200900067950040048

05/14/2009 02:09:00 PM

Fee: NO FEE

CC#: 11176 WO#: 05288831

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **Klamath County** ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a **16'** feet in width and **260+'** feet 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/or shown on Exhibit(s) **A & B** attached hereto and by this reference made a part hereof:

A portion of:

N ½ of NE ¼ of Section 21, Township 39S, Range 9E of the Willamette Meridian

Assessor's Map No. R-3909-02100-00400-000

Parcel No.00400

Notwithstanding the forgoing, if Grantee abandons or discontinues its use of the easement for the purposes set forth herein for a period in excess of 2 years, Grantor may request in writing that Grantee prepare a release of this easement and record such release within 30 days of the Grantor's request and upon recording of the release provided for herein, the easement for right of way granted herein shall terminate and have no further effect.

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 13th day of May, 2009.

[Signature]
John Elliott, Klamath County Commissioner, GRANTOR

[Signature]
Al Switzer, Klamath County Commissioner, GRANTOR

Off of Office
Cheryl Hukill, Klamath County Commissioner, GRANTOR

REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon
County of Klamath } SS.

This instrument was acknowledged before me on this 13th day of May, 2009,

by John Elliott, as Commissioner,
Name of Representative Title of Representative

Al Switzer, as Commissioner,
Name of Representative Title of Representative

_____, as _____,
Name of Representative Title of Representative

of Klamath County Commissioners
Name of Entity on behalf of whom instrument was executed

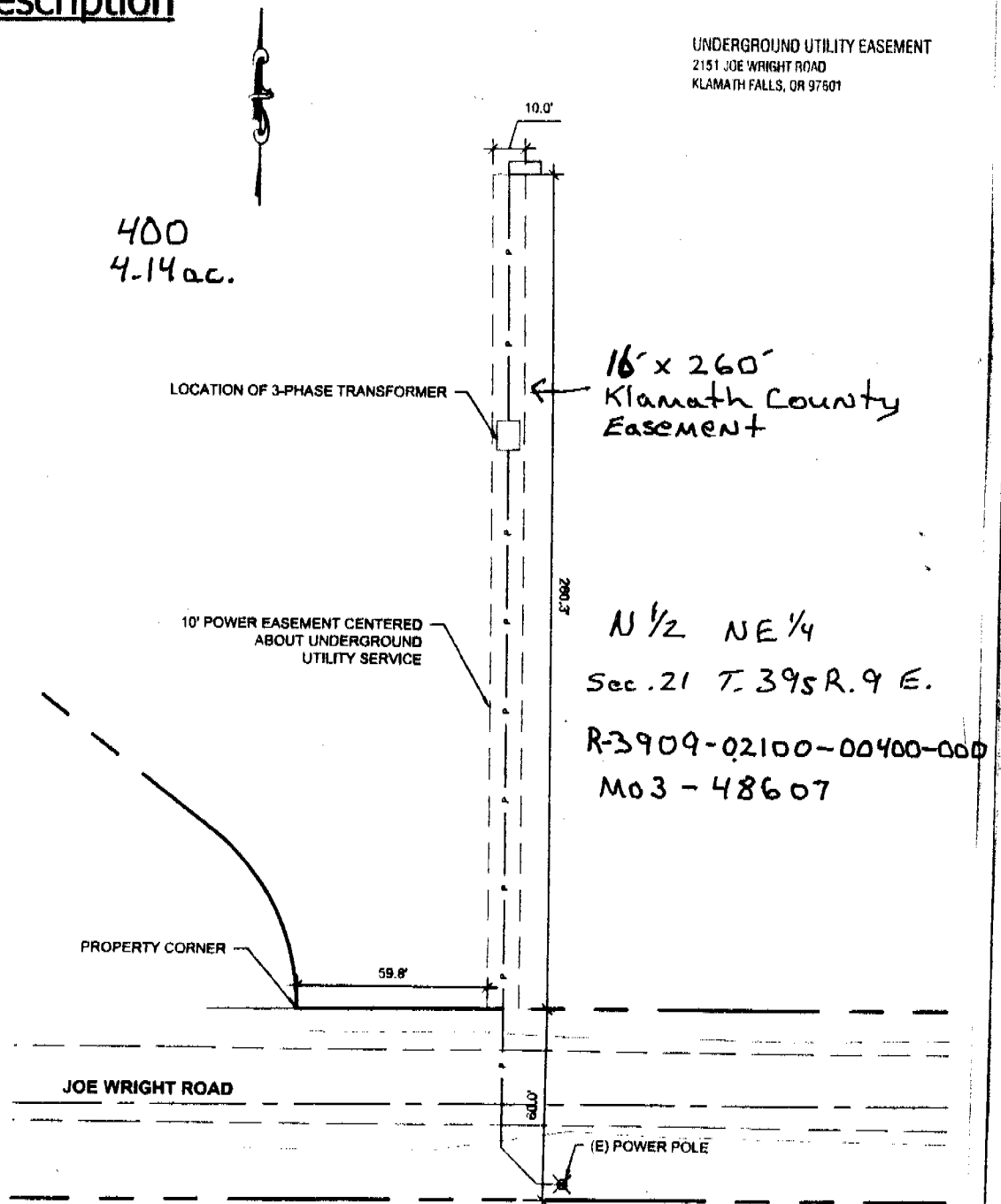
Rachel Murray
Notary Public

My commission expires: April 11, 2010



Property Description

UNDERGROUND UTILITY EASEMENT
2151 JOE WRIGHT ROAD
KLAMATH FALLS, OR 97601



CC#: 11176

WO#: 005288831

NAME: Klamath County

DRAWN BY: Rolde

EXHIBIT

EXHIBIT A

PacifiCorp

SCALE:
NTS

SHEET 2 OF 2

Property Description

09 JUL 11 PM:58



MTC - 61704 KR

Vol M03 Page 48607

After recording return to:
KLAMATH COUNTY, A GOVERNMENT
ENTITY

305 MAIN STREET
KLAMATH FALLS, OR 97601

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

KLAMATH COUNTY, A GOVERNMENT
ENTITY

305 MAIN STREET
KLAMATH FALLS, OR 97601

Borrow No. MT61704-KR

State of Oregon, County of Klamath
THIS SPACE Recorded 07/11/2003 2:53 P.M.
Vol M03 Pg 48607-02
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

WARRANTY DEED

LEE R. SUKRAW AKA LEE SUKRAW and LOUISE A. HOLST AKA LOUISE SUKRAW, Grantee(s) hereby grant, bargain, sell, warrant and convey to KLAMATH COUNTY, A GOVERNMENT ENTITY, Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of KLAMATH and State of Oregon, to wit:

EXHIBIT "A" LEGAL DESCRIPTION

PARCEL 1:

The N1/2 of the NE1/4 of Section 21, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

EXCEPTING THEREFROM a strip of land 30 feet wide on the South side of said property for use as a public road.

ALSO EXCEPTING THEREFROM THAT portion conveyed to Joe H. Wright by deed recorded in Volume 201, page 7, Deed Records of Klamath County, Oregon.

ALSO EXCEPTING THEREFROM that portion lying within the limits of the U.S.R.S. Irrigation canals known as the A-3 Lateral, the F-23 Lateral, the F-3 Lateral and within the limits of the U.S.R.S. Drain known as the I-G Drain.

ALSO EXCEPTING THEREFROM that portion commencing at an iron pin at the centerline intersection of Washburn Way and Joe Wright Road; thence along the centerline of Joe Wright Road South 89° 43' West 679.25 feet; thence North 3° 23' West 30.04 feet to a 3/4" iron pipe for the true point of beginning; thence North 3° 23' West 299.06 feet to a 3/4" iron pipe; thence North 89° 43' East 108.00 feet to a 3/4" iron pipe; thence South 3° 23' East 299.06 feet to a 3/4" iron pipe on the North boundary of Joe Wright Road; thence along said road boundary South 89° 43' West 108.00 feet to the true point of beginning.

ALSO EXCEPTING THEREFROM that portion conveyed to Donald R. Keown and Nancy L. Keown, et al, by instrument recorded March 3, 1978 in Volume M-38 at page 4042, Mineralien Records.

Account No.: 3909-02100-00200-000 Key No.: 581221

PARCEL 2:

That portion of the N1/2 NE1/4 of Section 21, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point which bears North 89° 44' West 101.3 feet from the Southwest corner of the NE1/4 of the NE1/4 of Section 21, Township 39 South, Range 9 East of the Willamette Meridian, which point is the intersection of the centerline of the County road now known as the Joe Wright Road, with the Southwest right of way line of the U.S.R.S. irrigation canal now known as the A-3 Lateral; thence Northwest along the Southwest right of way line of said A-3 Lateral, a distance of 176.7 feet; thence North 89° 44' West, parallel with the centerline of said road, a distance of 426.5 feet; thence North 43° 17' West, 399 feet, more or less, to the Eastern right of way line of the U.S.R.S. Drain known as the I-G Drain; thence Southwest along the Eastern right of way of said Drain to the Northeast boundary of the U.S.R.S. No. 1 Drain; thence Southeast along said No. 1 Drain to the centerline of Joe Wright Road; thence East along said centerline to the point of beginning.

EXCEPTING THEREFROM that portion lying within the right of way of Joe Wright Road.

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CC#: WOV: 11176 005288831

Landowner Name: Klamath County

A Government entity

EXHIBIT B

PACIFIC POWER
A PACIFICORP COMPANY