

2011-001628

Klamath County, Oregon



00096720201100016280040042

02/11/2011 10:11:21 AM

Fee: \$52.00

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

CC#: 11176 WO#: 05446496

RIGHT OF WAY EASEMENT

For value received, *Martin Heim and LouAnn Heim* ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a perpetual easement for a right of way **10** feet in width and **70** 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 & B* attached hereto and by this reference made a part hereof:

A portion of:

SE¼ SE¼, Section 17, Township 40S, Range 10E of the Willamette Meridian

Assessor's Map No. R-4010-01700-02300-000

Parcel No. 2300

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.

Dated this 2 day of Nov, 20010

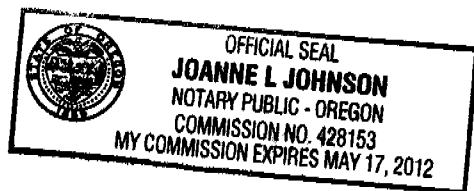
Martin Heim
Martin Heim GRANTOR

LouAnn Heim
LouAnn Heim GRANTOR

INDIVIDUAL ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } SS.

This instrument was acknowledged before me on this 2 day of November 2010,
by Martin Heim & Lou Ann Heim.
Name(s) of individual(s) signing document

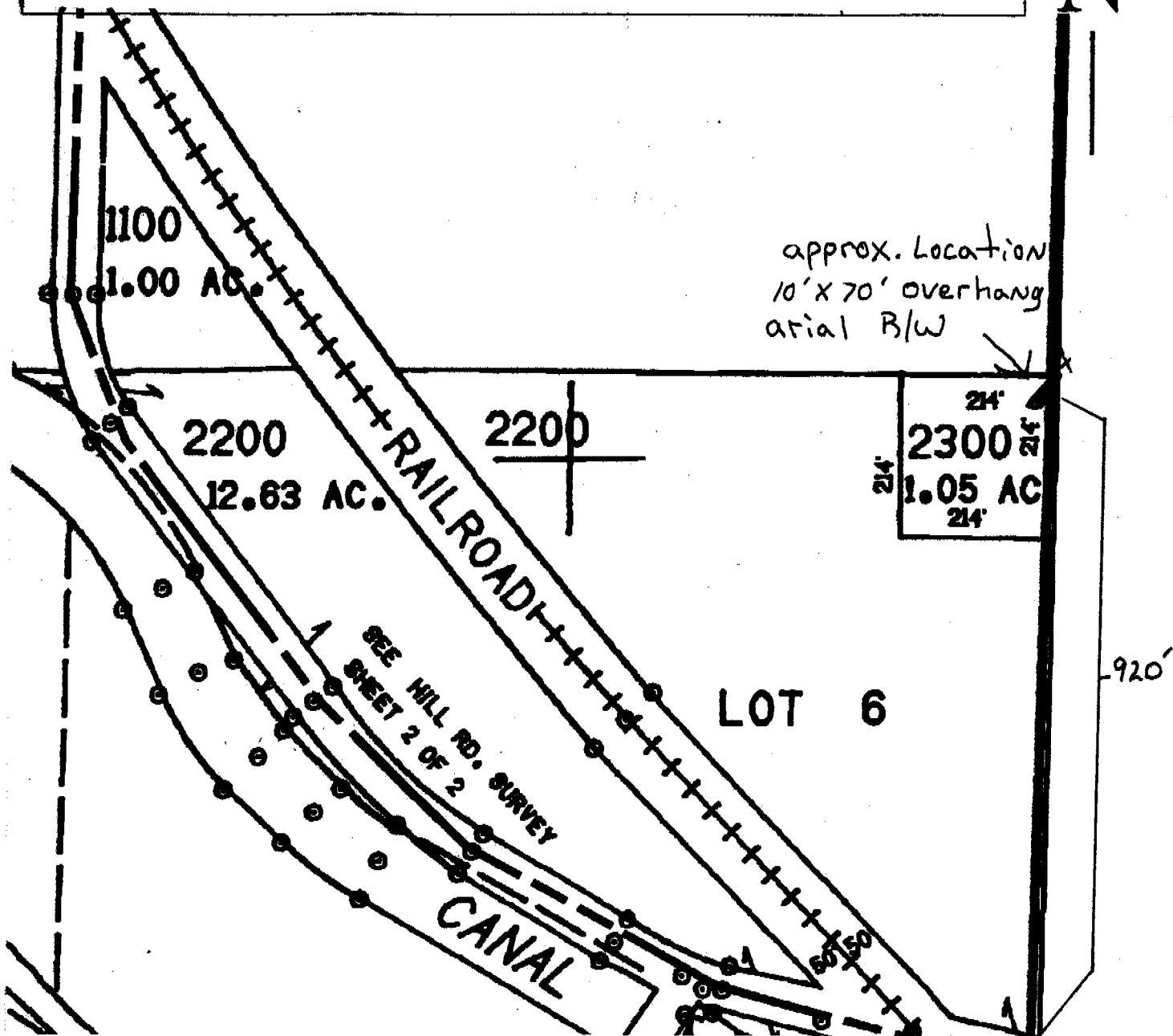


Joanne L Johnson
Notary Public

My commission expires: May 17, 2012

Property Description

SE 1/4 SE 1/4
Section: 17 Township: 40 (N or S), Range: 10 (E or W) Willamette Meridian
County: Klamath State: OR.
Parcel Number: R-4010-01700-02300-000



COF: 11176 WOF: 005446496

Landowner Name: M + L Heim

Drawn by: Bill Alder

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: N.T.S.

Property Description

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59722

K 31301

-WARRANTY DEED-

DALE C. HENDRICKSON and MILLICENT I. HENDRICKSON, husband and wife, Grantors, convey and warrant to MARTIN HEIM and LOU ANN HEIM, husband and wife, Grantees, the following described real property situate in Klamath County, Oregon, free of all encumbrances, except as specifically set forth herein:

A portion of Lot 6 of Section 17, Township 40 South, Range 10 EWM, described as follows: Beginning in the Northeast corner of said Lot 6, thence West along the North boundary of Lot 6 a distance of 214'; thence South parallel with the East boundary of Lot 6, 214'; thence East parallel with the North line of Lot 6, 214'; thence North along the East line of Lot 6, 214'; to the point of beginning, being one acre, more or less.

TOGETHER WITH: A non-exclusive easement for purposes of ingress and egress 50' in width along and West of the East boundary of Lot 6 extending from the above-mentioned one acre on the North to Hill Road on the South

SUBJECT TO AND EXCEPTING:

(1) the assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. Taxes for the year 1978-79 and possibly prior years have been deferred pursuant to ORS 308.370. These, plus earned interest are due and payable when said reason for the deferment no longer exists; (2) acreage and use limitations under provisions of United States statutes and regulations issued thereunder; (3) rules, regulations, and assessments of the Klamath Basin Improvement District; (4) right of way, including the terms and provisions thereof, given by Eliza E. Robley Stewart and John Q. Stewart, her husband, to the California Oregon Power Company, a California corporation, dated November 5, 1928, recorded November 10, 1928, Vol. 82, page 525, Deed Records of Klamath County, Oregon; (5) release of damages contained in Deed executed by Eliza E. Robley Stewart (formerly Eliza E. Robley, widow of A. R. Robley, deceased), and John Q. Stewart, her husband, to Great Northern Railway Company dated June 1, 1931, recorded June 26, 1931, Vol. 95, page 504, Deed Records of Klamath County, Oregon; (6) reservations, restrictions, easements and rights of way of record and those apparent upon the land.

The true and actual consideration for this transfer is Thirty Nine Thousand and No/100ths (\$39,000.00) DOLLARS, however includes other property.

Until a change is requested, all tax statements shall be mailed to: Rt 3 Box 274 B Klamath Falls

DATED this 12 day of Dec 1978.

Dale C. Hendrickson
Millicent I. Hendrickson

WILLIAM P. BRANDENBERG
ATTORNEY AT LAW
211 FINE STREET
KLAMATH FALLS, OREGON 97601

1. WARRANTY DEED

CC# 11176

005446496

Landowner Name: Martin Heim

Lou Ann Heim

EXHIBIT B

PACIFIC POWER
A PACIFICORP COMPANY