

2011-008058

Klamath County, Oregon



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07/08/2011 10:17:55 AM

Fee: \$52.00

Return to: Pacific Power
1950 Mallard Ln
Klamath Falls, OR 97601

CC#: 11176 WO#: 5532713

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, *Steven V Bates and Christina M Bates, Trustees of the Bates Family Trust 2007* ("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 **390** 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 therefore; and pads, transformers, switches, cabinets, vaults on, across, or under the surface of the real property of Grantor in **Klamath** County, State of **OR**, 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:

Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 35, Township 34 South, Range 08 East of the Willamette Meridian and more particularly described in Exhibit 'B'

Assessor's Map No.: **34S 08E 35**

Parcel No.: **1300**

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 therefore) 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 the 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 11 day of May, 2011.

Bates Family Trust 2007

By: Steven V Bates, Trustee
Steven V Bates, Trustee GRANTOR

By: Christina M Bates, Trustee
Christina M Bates, Trustee GRANTOR

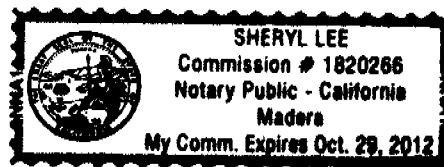
State of California
County of Madera

On May 11, 2011 before me, Sheryl Lee, a notary public, personally appeared Steven V. & Christina Bates, who 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 of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

Witness my hand and official seal.

Signature Sheryl Lee (Seal)



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PROPERTY DESCRIPTION

A portion of:

That part of the NE1/4 of the SW1/4 that lies North of the Sprague River Highway, in Section 35, Township 34 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING that portion described as follows:

Beginning at the C-W 1/16 corner of said Section 35; thence North 89° 11' 19" East along the North line of the NE1/4 of the SW1/4 of said Section 35 a distance of 191.97 feet; thence leaving said line, South 09° 34' 41" West 158.58 feet; thence South 29° 15' 22" West 88.68 feet to a point on the Northeasterly right of way line of Sprague River Road; thence North 64° 53' 27" West, along said Northeasterly right of way line, 135.00 feet to a point on the West line of the NE1/4 of the SW1/4 of Section 35; thence North 00° 00' 19" East 173.73 feet to the point of beginning.

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Grantor Name: BATES

EXHIBIT B



PACIFIC POWER
A DIVISION OF PACIFICORP