

2013-011126

Klamath County, Oregon



00143113201300111260040048

10/01/2013 10:31:39 AM

Fee: \$52.00

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

CC#: 11176 WO#: 5810439

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **Donald Lee Hodge, Jr. and Venessa Linnartz Hodge, as tenants by the entirety** ("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 **360 +/-** 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:

SW 1/4 of the SW1/4 of Section 28, Township 37S, Range 9E of the Willamette meridian

Assessor's Map No.: **R-3709-2800-00801-000**

Parcel No.: **00801**

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 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 other purposes not inconsistent, as determined by the Grantee, with the purposes for which this easement has been granted.

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this Agreement. Each party further waives any right to consolidate, or to request the consolidation of, any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

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 9 day of September, 2013.

Donald Lee Hodge, Jr
Donald Lee Hodge, Jr GRANTOR

Venessa Linnartz Hodge
Venessa Linnartz Hodge GRANTOR

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

State of OREGON)
County of Klamath) ss.

On Sept. 9 2013 before me, TERI D. LEEPER-BLUE, Notary Public
DATE NAME, TITLE OF OFFICER - E.G. "JANE DOE", NOTARY PUBLIC

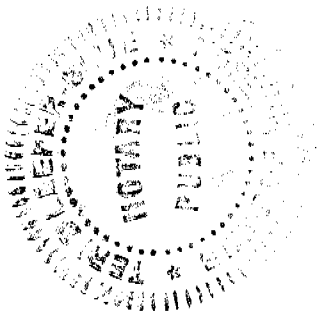
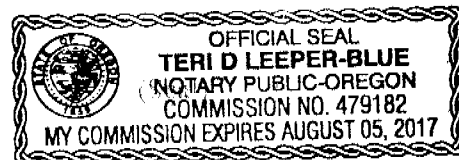
personally appeared DONALD LEE HODGE, JR & VENESSA LINNARTZ HODGE
NAME(S) OF SIGNER(S)

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 this instrument.

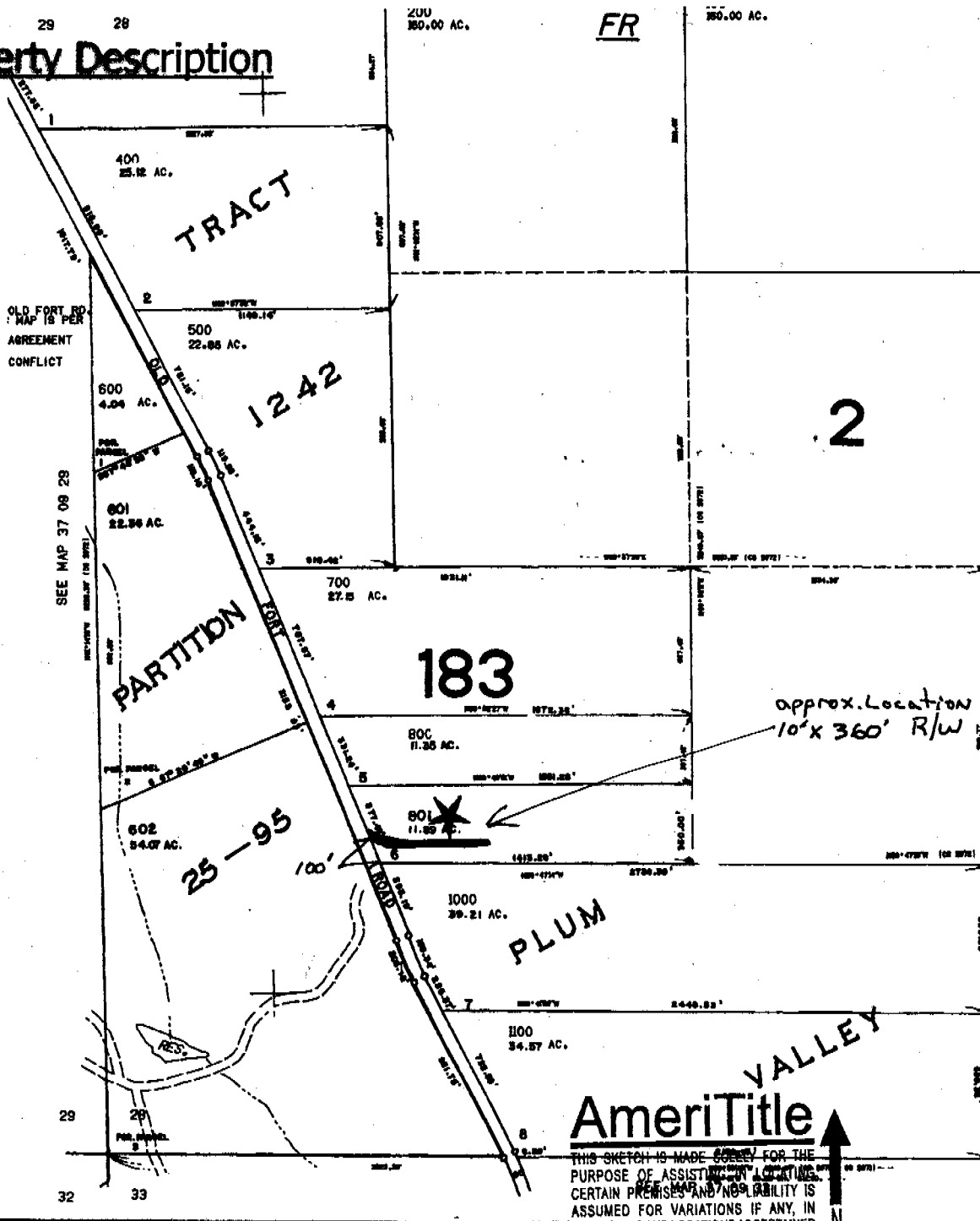
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Teri D. Leeper-Blue
SIGNATURE OF NOTARY



Property Description



CC#: 11176

WO#: 005810439

NAME: Donald L. Hodge Jr

DRAWN BY: Bimoida

EXHIBIT B

PacifiCorp

SCALE: NTS

SHEET 1 OF 2

Property Description

SW 1/4 SW 1/4
Section: 28 Township: 37 (N or S), Range: 9 (E or W) Willamette Meridian
County: Klamath State: Ore.
Parcel Number: R-3709-02800-00801-000



MT80486-MS

After recording return to:
Donald Lee Hodge, Jr.
7508 Locke Rd
Vacaville, CA 95688

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

Donald Lee Hodge, Jr.
7508 Locke Rd
Vacaville, CA 95688

Escrow No. MT80486-MS
Title No. 0080486

SWD

THIS SPACE RES

2007-020018

Klamath County, Oregon



11/28/2007 11:30:34 AM

Fee: \$28.00

STATUTORY WARRANTY DEED

Gayle A. Drake, Grantor(s) hereby convey and warrant to Donald Lee Hodge, Jr. and Vanessa Linnartz Hodge, as tenants by the entirety, Grantee(s) the following described real property in the County of KLAMATH and State of Oregon free of encumbrances except as specifically set forth herein:

Lot 6 of TRACT 1242 - PLUM VALLEY, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is \$175,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 21st day of November, 2007

Gayle A. Drake
Gayle A. Drake

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on Nov. 21, 2007 by Gayle A. Drake.



Kristi L. Redd
(Notary Public for Oregon)
My commission expires 11/16/2011

CC#: 11176 WO#: 05810439

Landowner Name: Donald L. Hodge

Drawn by: Brian Olson

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