

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

2014-003846

Klamath County, Oregon



00151755201400038460040046

04/23/2014 11:12:44 AM

Fee: \$57.00

CC#: 11176 WO#: 002134224

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, ***Bon Vie, LLC, an Oregon Limited Liability Company*** ("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 **155** 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 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:

SW ¼ NE ¼ of Section 32, Township 38S, Range 9E of the Willamette Meridian

Assessor's Map No.: **38 09 32 AC**

Parcel No.: **700**

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 18 day of April, 2014

Bon Vie, LLC, An Oregon Limited Liability Company

By: [Signature]
(Signature of Representative)

Its: Member
(Title) **GRANTOR**

REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon)
County of Marion) SS.

This instrument was acknowledged before me on this 18th day of April, 2014.

by William L. McClain as Member
Name of representative Title of representative

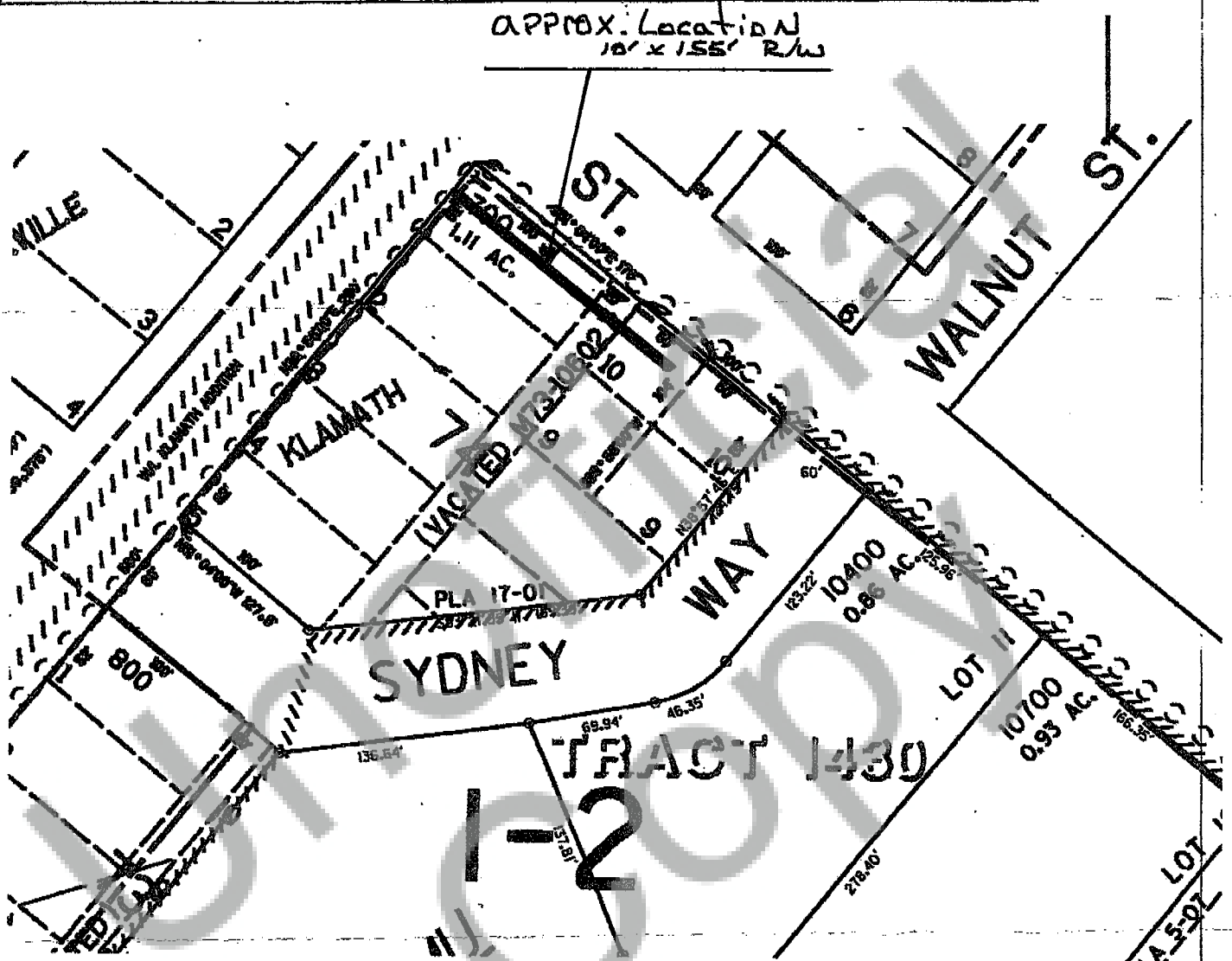
of Bon Vie, LLC
Name of entity being represented



[Signature]
Notary Public
My commission expires: 7/31/2017

Property Description

SW 1/4 NE 1/4
Section: 32 Township: 38 (N or S) Range: 9 (E or W) Willamette Meridian
County: Klamath State: OR
Parcel Number: 00200



CC#: 11176 WO#: 002134224
Landowner Name: Bonvie LLC
Drawn by: P63210 B. O. Liden

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

THIS SPACE RESERVED FOR RECORDER'S USE

Amertitle

BT151929YW/100198

After recording return to:

Bon Vie, LLC

P.O. Box 159

Turner, OR 97392

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

Bon Vie, LLC

P.O. Box 159

Turner, OR 97392

Escrow No. BT151929YW

Title No. 100198

SPECIAL r.020212

2014-002701

Klamath County, Oregon

03/28/2014 10:43:49 AM

Fee: \$47.00

SPECIAL WARRANTY DEED

NLD Title, LLC, a Delaware limited liability company,

Grantor(s) hereby conveys and specially warrants to

Bon Vie, LLC, an Oregon Limited Liability Company,

Grantee(s) and grantee's heirs, successors and assigns the following described real property free of encumbrances created or suffered by the Grantor, except as specifically set forth herein, situated in the County of Klamath and State of Oregon, to wit:

Situated in the SW1/4 of the NE1/4 of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, also being a portion of Block 74 of "Klamath Addition" to the City of Klamath Falls, as approved in PLA NO. 17-01, being more particularly described as follows: Beginning at a point on the Southwesterly right-of-way of Fourth Street which bears North 60°31'43" West 364.98 feet from the most Westerly corner of Block 92 of "Klamath Addition" to the City of Klamath Falls, evidenced by a 5/8" Iron rod with 1 1/2" aluminum cap per Survey Number 4012, Klamath County Records; thence leaving said right-of-way South 38°57'46" West 124.75 feet; thence South 83°21'35" West, 189.39 feet to a point on the Northeasterly right-of-way of Third Street; thence along said right-of-way North 51°04'00" West, 87.58 feet to the intersection of said Third Street right-of-way with the Southeasterly right-of-way of Klamath Avenue; thence leaving said Third Street right of way and along said right-of-way of Klamath Avenue North 38°57'46" East, 260.00 feet to the intersection of said Klamath Avenue right-of-way with the Southwesterly right-of-way of Fourth Street; thence leaving said Klamath Avenue right-of-way and along said right-of-way of Fourth Street South 51°04'00" East, 220.00 feet to the point of beginning.

CC#:

11176

WO#:

002134224

NAME:

Bon Vie LLC

DRAWN BY:

P63210

PacifiCorp

SCALE:

NTS

SHEET

2

OF

2

EXHIBIT B