

2014-009357

Klamath County, Oregon



00158466201400093570040043

09/09/2014 10:29:10 AM

Fee: \$57.00

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

CC#: 11176 WO#: 05834650

**RIGHT OF WAY EASEMENT**

For value received, *Peachy P. Thomas and Carol L. Thomas 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 **20** feet in width and **175** 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:

*SW ¼ of Section 20, Township 35 S, Range 07 E of the Willamette Meridian*

Assessor's Map No. R-3507-0200-000900-000

Parcel No. 900

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, 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 defined 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 29 day of August, 2014.

Peachy P. Thomas  
Peachy P. Thomas GRANTOR

N/A  
Carol L. Thomas GRANTOR

#### INDIVIDUAL ACKNOWLEDGEMENT

State of OREGON  
County of Klamath } SS.

This instrument was acknowledged before me on this 29 day of August, 2014,  
by Peachy P. Thomas  
Name(s) of individual(s) signing document

[Seal]

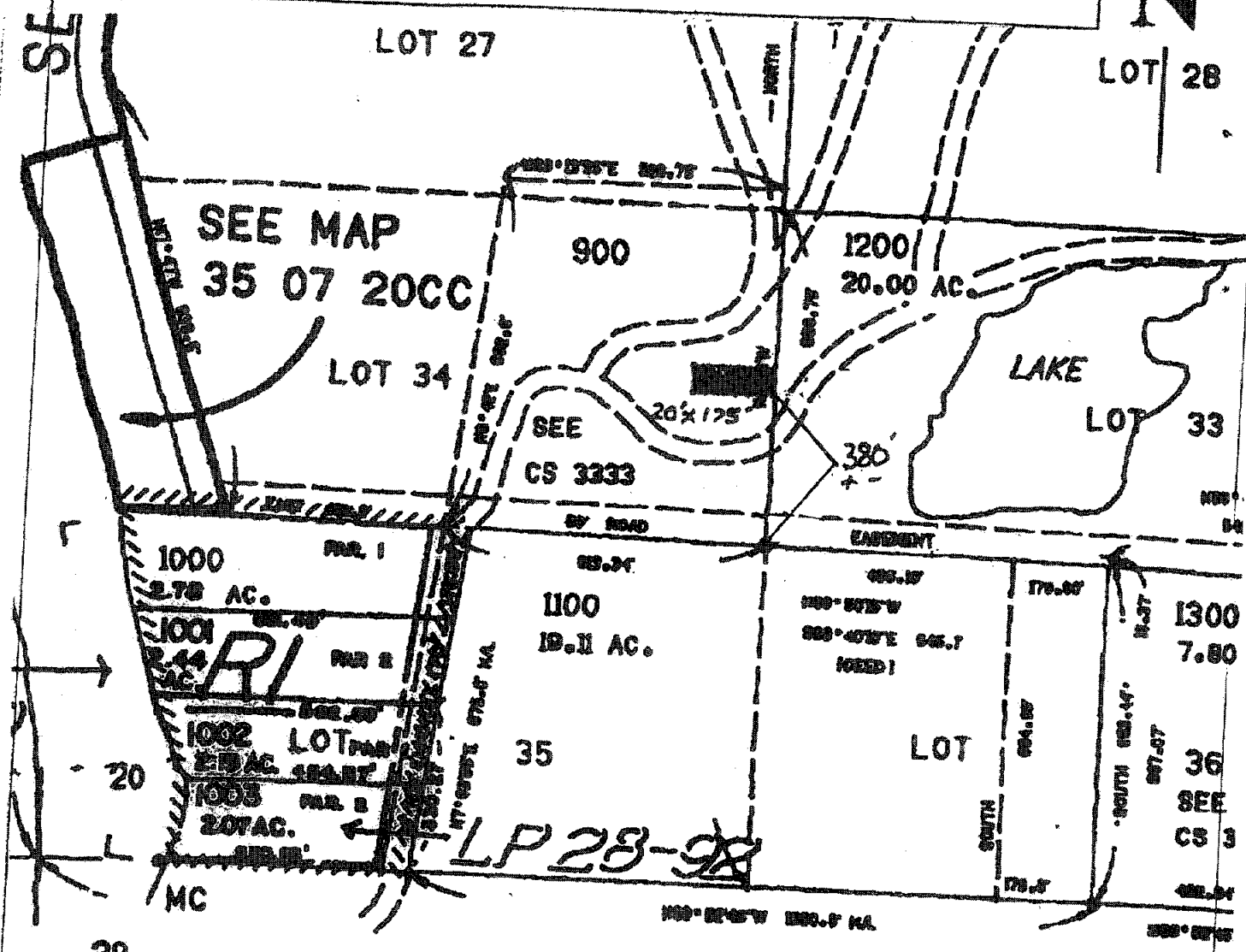



Teresa R. Foreman  
Notary Public

My commission expires: Mar 24, 2016  
My commission expires: \_\_\_\_\_

# Property Description

Section: 20 Township: 35 (N or S) Range: 7 (E or W) Willamette Meridian  
 County: Klamath State: OR  
 Parcel Number: 0900



 = 20' x 175' +/-  
 P.P. THOMAS R/W  
 C.L. THOMAS

CC#: 11176 WO#: 005834650  
 Landowner Name: P. Thomas  
 Drawn by: B. Borden

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

00 SEP 17 10:28

Vol. M03 Page 69426

## Property Description



After recording return to:  
Peachy P. Thomas and Carol L.  
Thomas  
32227 Rivers Drive  
Chiloquin, OR 97624

Until a change is requested all tax statements  
shall be sent to the following address:  
Peachy P. Thomas and Carol L.  
Thomas  
32227 Rivers Drive  
Chiloquin, OR 97624

File No.: 7021-187069 (SAC)  
Date: September 15, 2003

### THIS SPACE RESERVED FOR RECORDER'S USE

State of Oregon, County of Klamath  
Recorded 09/17/03 3:28 p m  
Vol M03 Pg 69426-18  
Linda Smith, County Clerk  
Fee \$ 2.00 # of Pgs 3

## STATUTORY WARRANTY DEED

Rodney W. Stager, Grantor, conveys and warrants to Peachy P. Thomas and Carol L. Thomas as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

This property is free from liens and encumbrances, EXCEPT:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

THIS INSTRUMENT WILL 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.

The true consideration for this conveyance is \$220,000.00. (Please comply with requirements of ORS 93.030)

CC#: 11176

WO#: 005834650

NAME: P.P. + C.L. Thomas

DRAWN BY: B. Olden

**EXHIBIT B**

Page 1 of 3

**PacifiCorp**

SCALE:

NTS

SHEET

2

OF

2