

Rep ZCS Engineering  
%

2008-009522

Klamath County, Oregon



00049033200800095220030038

06/30/2008 01:35:40 PM

Fee: \$31.00

RECORDING REQUESTED BY:

GRANTOR: Klamath Falls City  
School District

GRANTEE: PACIFICORP

RETURN TO:

PACIFIC POWER  
1950 MALLARD LANE  
KLAMATH FALLS, OR 97601

---

## RIGHT OF WAY EASEMENT

---

RETURN TO: Pacific Power  
1950 Mallard Lane  
Klamath Falls, Oregon 97601

CC:11176 W/O #:05148704

**UNDERGROUND RIGHT OF WAY EASEMENT**

**RIGHT OF WAY EASEMENT**

For value received, **Klamath Falls City School District** ("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 **375** 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 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** attached hereto and by this reference made a part hereof:

A portion of:

**SW 1/4 of Section 34, Township 38 S, Range 9 E, Deed Information 250-234**

Assessor's Map No. R-3809-034CC-00100-000

Parcel No. 100

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 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 26 day of June, 2008.

Cecelia M. Amuchastegui  
Klamath Falls City School District GRANTOR

**REPRESENTATIVE ACKNOWLEDGEMENT**

State of Oregon )

ss.

County of Klamath )

On June 26, 2008 before me, Dena Hubble, Notary Public for Oregon  
DATE NAME, TITLE OF OFFICER - " , NOTARY PUBLIC"

personally appeared Cecelia M. Amuchastegui

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.

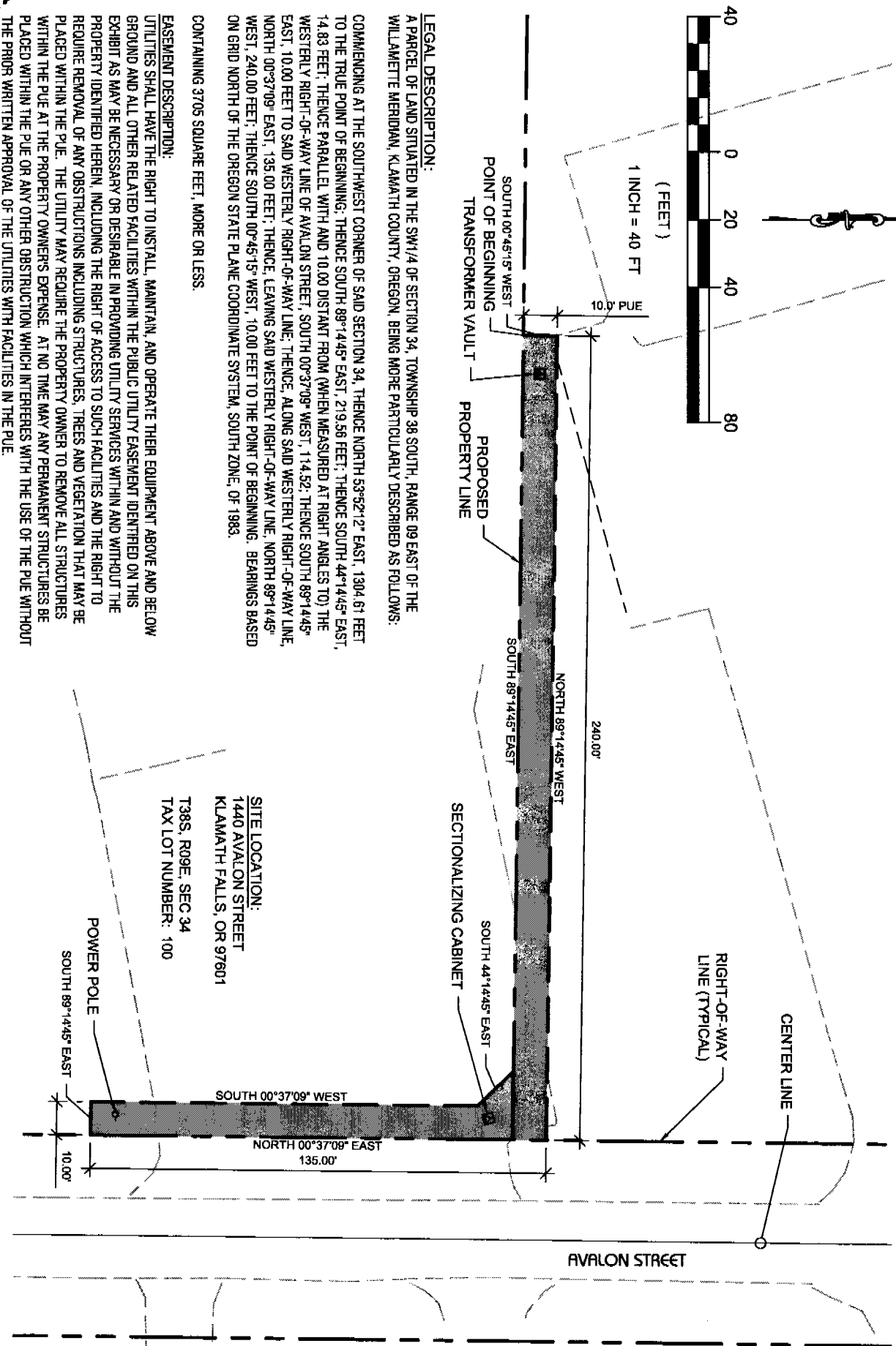
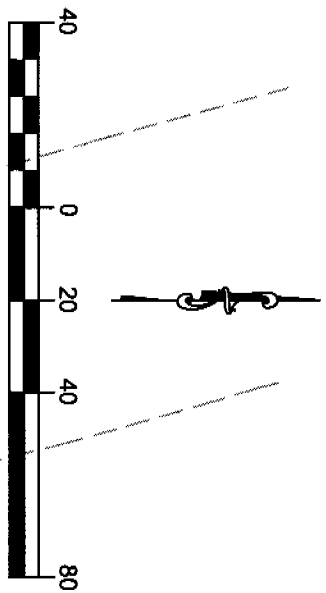
I certify under PENALTY OF PERJURY under the laws of the State of Oregon that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]  
SIGNATURE OF NOTARY

(Seal)





**LEGAL DESCRIPTION:**  
 A PARCEL OF LAND SITUATED IN THE SW1/4 OF SECTION 34, TOWNSHIP 38 SOUTH, RANGE 09 EAST OF THE WILLAMETTE MERIDIAN, CLATSOP COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34, THENCE NORTH 53°52'12\"/>

CONTAINING 3705 SQUARE FEET, MORE OR LESS.

**EASEMENT DESCRIPTION:**

UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENT IDENTIFIED ON THIS EXHIBIT AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE PROPERTY IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE PROPERTY OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE PROPERTY OWNERS EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE.

**SITE LOCATION:**  
 1440 AVALON STREET  
 CLATSOP COUNTY, OREGON  
 TAX LOT NUMBER: 100

WORK ORDER 5148704  
 CC 11176