

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

2014-005166

Klamath County, Oregon



00153274201400051660040045

05/13/2014 01:24:23 PM

Fee: \$67.00

CC#: 11176 WO#: 5897363

RIGHT OF WAY EASEMENT

~~Accessed~~

For value received, ~~Hagerty Evelyn Trustees & Hagerty Claude Trustees~~ ("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 **120** 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** attached hereto and by this reference made a part hereof:

A portion of:

NW Quadrant, Section 5, Township 41S, Range 12E of the Willamette Meridian

Assessor's Map No. R4112-0050-00200-000

Parcel No. 200

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 9th day of MAY, 2014

DECEASED
Evelyn Hagerty GRANTOR

Claude Hagerty
Claude Hagerty GRANTOR

INDIVIDUAL ACKNOWLEDGEMENT

State of OREGON
County of CLATSOP } SS.

This instrument was acknowledged before me on this 9th day of MAY, 2014
by CLAUDE HAGERTY
Name(s) of individual(s) signing document



Karen A Baker
Notary Public
My commission expires: 9-20-2017

Property Description

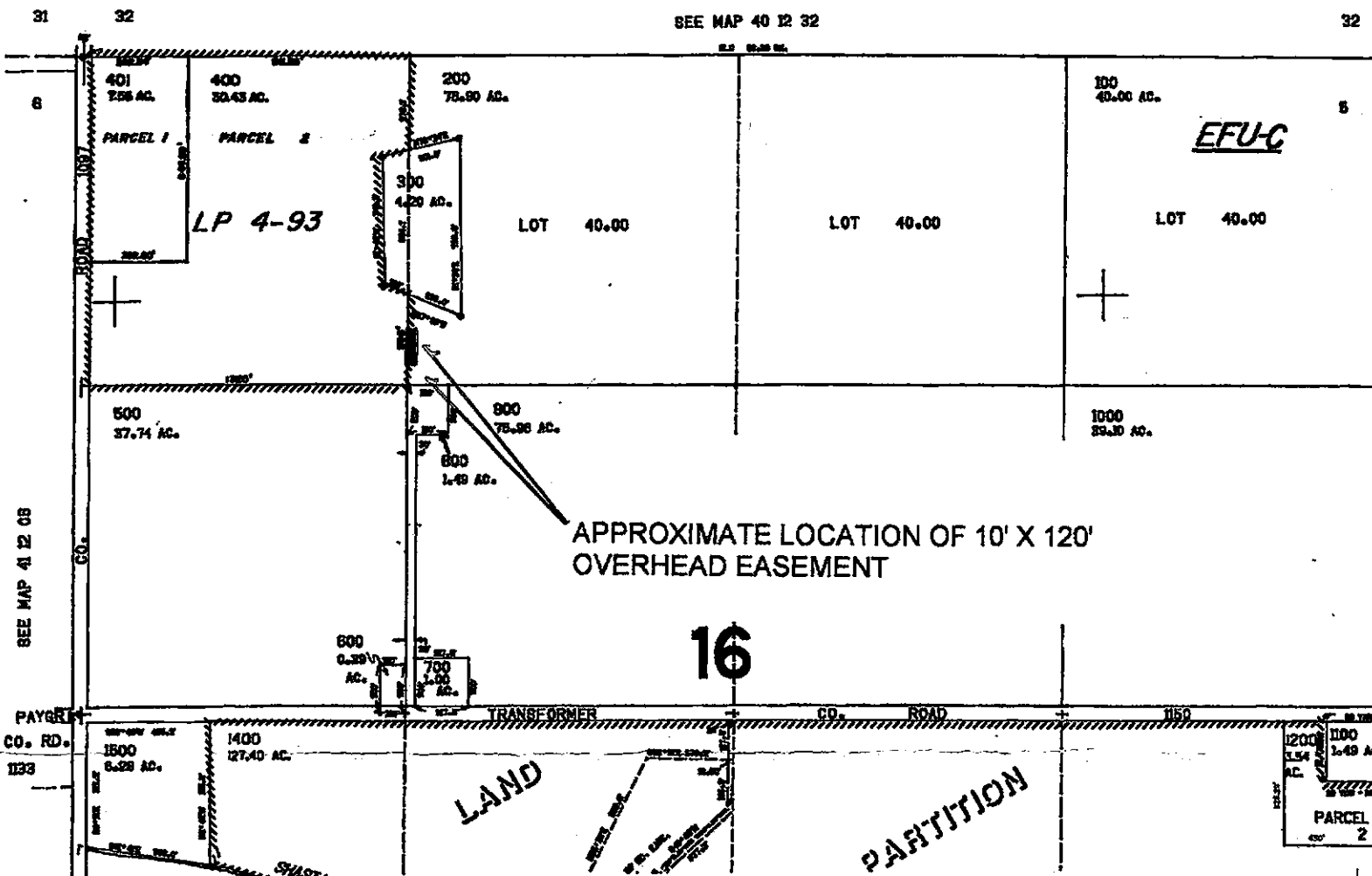
Section: 5 Township: 41 (N or S) Range: 12 (E or W) Willamette Meridian
County: Klamath State: OR
Parcel Number: (200) R4112-00500-00200-000



THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 05 T.41S. R.12E. W.M. KLAMATH COUNTY

T-400'



CC#: 11176 WO#: 5897363

Landowner Name: Hagerty Evelyn Trustees

Hagerty Claude Trustees

Drawn by: DP

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

CLAUDE HAGERTY

*28605 Transformer Road
Malin, OR 97632*

May 9, 2014

Pacific Power
Klamath Falls Operations
1950 Mallard Lane
Klamath Falls, OR 97601

Re: Request #: 5897363
Job Site ID: 373458613

Dear Gentleperson:

Please be advised that Evlyn Hagerty has passed away. I am now the sole trustee of the Evlyn Hagerty Trust, the grantor in the enclosed Easement. For this reason, I did sign and have notarized the Right of Way Easement and the Irrigation Contracts and return them to you. If you would like a copy of Ms. Evelyn Hagerty's death certificate I can provide you with that upon request. Thank you for your time.

Very truly yours,


Claude Hagerty

CH:kab
Enclosures
Hagec101

EXHIBIT "B"