

2014-006017

Klamath County, Oregon



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06/06/2014 03:35:27 PM

Fee: \$57.00

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

CC#: 11176 WO#: 05877789

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **MVG-REH (HDDG Klamath), LLC** ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns ("Grantee"), a perpetual easement for a right of way **15** feet in width and **333 and 668** 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 and B** attached hereto and by this reference made a part hereof:

A portion of:

Lot 4, Tract 1463 "Klamath Falls Industrial Park"Assessor's Map No.: **39 09 22**Parcel No.: **1400**

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 easement. 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 21st day of April, 2014.



MVG-REH (HDDG Klamath) LLC by Millennium Venture Group, Inc., Its Manager GRANTOR

GRANTOR

*******CHOOSE APPROPRIATE ACKNOWLEDGEMENT AND DELETE THE OTHER*****
INDIVIDUAL ACKNOWLEDGEMENT**

State of _____)
County of _____) SS.

This instrument was acknowledged before me on this _____ day of _____, 20_____,
by _____
Name(s) of individual(s) signing document

Notary Public

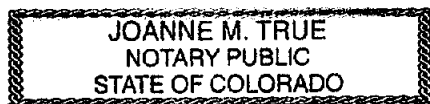
My commission expires: _____

REPRESENTATIVE ACKNOWLEDGEMENT**

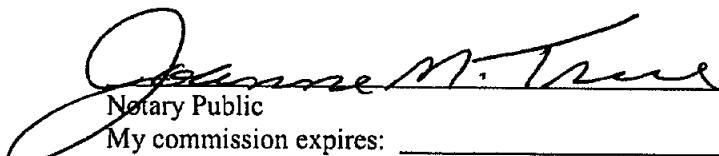
State of Colorado)
County of Denver) SS.

This instrument was acknowledged before me on this 21st day of April, 2014.

by Michael Dailey, as President, Millennium Venture
Name of representative Title of representative
of MVG-REH (HDDG Klamath) LLC
Name of entity being represented



MY COMMISSION EXPIRES 11/8/17



Notary Public
My commission expires: _____

EXHIBIT A
DESCRIPTION OF POWER LINE EASEMENT

Easement A

A strip of land being 15.00 feet wide in Lot 4, Tract 1463 "Klamath Falls Industrial Park"; situated in the SW1/4 of section 15 and the NW1/4 of Section 22, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, said easement being more particularly described as follows:

Commencing at the northeast corner of Lot 4, Tract 1463 "Klamath Falls Industrial Park", said point being marked by a 5/8" rebar with yellow plastic cap stamped Rhine Cross Group LLC on the westerly right of way line of Altamont Drive; thence following the westerly right of way of Altamont Drive, 33.37 feet along the arc of a 636.75 foot radius curve to the left, through a central angle of 03°00'11", the long chord of which bears South 12°46'09" West, 33.37 feet; thence southwesterly 47.22 feet along the arc of an offset spiral curve to the left, the long chord of which bears South 09°27'07" West, 47.21 feet to the **True Point of Beginning**, thence leaving the westerly right of way of Altamont Drive North 88°38'21" West, 334.17 feet; thence South 01°21'39" West, 15.00 feet; thence South 88°38'21" East, 332.53 feet to the westerly right of way of Altamont Drive, thence northeasterly following the westerly right of way line of Altamont Drive 15.09 feet along the arc of an offset spiral curve to the right, the long chord of which bears North 07°36'16" East, 15.09 feet to the Point of Beginning.

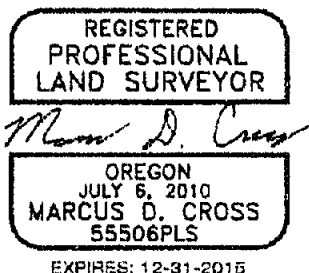
Said easement containing 5000 sq.ft. more or less.

Easement B

A strip of land being 15.00 feet wide in Lot 4, Tract 1463 "Klamath Falls Industrial Park"; situated in the NW1/4 of Section 22, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, said easement being more particularly described as follows:

Commencing at the southeast corner of Lot 4, Tract 1463 "Klamath Falls Industrial Park", said point being marked by a 5/8" rebar with yellow plastic cap stamped Rhine Cross Group LLC on the westerly right of way line of Altamont Drive; thence following the westerly right of way of Altamont Drive, 84.54 feet along the arc of an offset spiral curve to the right, the long chord of which bears North 00°24'47" East, 84.51 feet to the **True Point of Beginning**, thence leaving the westerly right of way of Altamont Drive, along the adjusted lot line of said Lot 4 North 88°38'21" West, 604.57 feet; thence North 88°17'52" West, 63.00 feet; thence North 01°42'08" East, 14.62 feet; thence South 88°38'21" East, 667.98 feet to the westerly right of way of Altamont Drive, thence southerly following the westerly right of way line of Altamont Drive 15.01 feet along the arc of an offset spiral curve to the left, the long chord of which bears South 03°15'40" West, 15.01 feet to the Point of Beginning

Said easement containing 10,005 sq.ft. more or less.



A PARCEL OF LAND LOCATED IN LOT 4, TRACT 1463 "KLAMATH FALLS INDUSTRIAL PARK",
SITUATED IN THE SW 1/4 OF SECTION 15 AND THE NW1/4 OF SECTION 22,
ALL IN TOWNSHIP 39 SOUTH, RANGE 9 EAST, WM.,
KLAMATH COUNTY, OREGON
APRIL 2014

Survey map of Lot 4, showing property lines, easements, and dimensions. The map includes the following details:

- Lot 4 Dimensions and Features:**
 - Top boundary: 332.53' (dashed line), 699.56' (solid line).
 - Left boundary: 20.00' P.U.E. (dashed line), 686.80' (solid line).
 - Right boundary: 667.98' (dashed line), 604.57' (solid line).
 - Bottom boundary: 605.97' (solid line).
- Easements:**
 - 15' x 668' POWER EASEMENT "B"**: Indicated by a dashed line across the top and right boundaries.
 - 15' x 333' POWER EASEMENT "A"**: Indicated by a dashed line across the top boundary.
- Property Lines:**
 - PLATTED LOT LINE**: Solid lines on the left and right boundaries.
 - FUTURE PROPERTY LINE ADJUSTMENT**: Dashed line on the left boundary.
 - ADJUSTED PROPERTY LINE**: Solid line on the right boundary.
- Other Features:**
 - ALTAMONT DRIVE**: Located to the right of the lot.
 - 16.00' WATERLINE PER PLAT**: Indicated on the right side of the lot.
 - Dimensions:** 63.00' (bottom left), 337.06' (bottom left), 604.57' (right side), 605.97' (right side).

MONUMENT PER TRACT 1463

BOUNDARY LINE

EASEMENT LINE

Mr. D. C. C.

EXPIRES: 12-31-2015

R-C
RHINE CROSS
GROUP

Phone: (541) 851-9405 Fax: (541) 273-9200