



00183697201600026840070074

After Recording Return to: ✓

PacifiCorp  
Real Estate Management  
Attn: Maggie Hodny  
825 NE Multnomah St., LCT 1700  
Portland, OR 97232

03/11/2016 02:42:47 PM

Fee: \$72.00

Robert Mauer  
Returned at Counter

### ACCESS EASEMENT

For value received, **International Capital LLC** ("Grantor"), hereby grants to **PacifiCorp**, an Oregon corporation, its successors and assigns, ("Grantee"), a perpetual non-exclusive easement for a right of way for access as now located and variable in width for road purposes including the right to use said right of way to access Grantee's: (i) control house, perimeter fencing, gates, grounding wires and related facilities and appurtenances; and (ii) electric distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: poles, props, guys and anchors, wires, fibers, cables and other conductors and conduits, pads, transformers, switches, vaults and cabinets (referred to collectively hereafter as "Electric Facilities") and/or real and personal property. Said road right of way shall be located over, across, and upon Grantor's real property which is situated in Klamath County, State of Oregon, more particularly described in Exhibit A and as shown in Exhibit B attached hereto and by this reference made a part hereof:

Assessor's Map No.: R-3614-03400-00204-000, R-3614-03400-01200-000, and R-3614-034DB-00100-000.

Grantor shall have the right to install a gate(s) across the roadway; however, if the gate(s) is/are locked by Grantor, Grantee may install its own lock.

Grantee, its contractors, or agents, shall also have the right to keep the right of way clear of all brush, trees, timber, structures, buildings and other hazards that might impede Grantee's access to its facilities or activities.

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, shall inure to the benefit their respective heirs, successors and assigns and shall run with the land.

Dated this 11 day of MAR 11, 2016

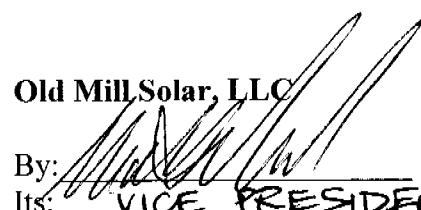


**GRANTOR**  
**International Capital LLC**

**Acknowledge and Agreed:**

To the extent the undersigned is the holder of an exclusive easement of the dominate estate through instrument 2010-007082, the undersigned hereby acknowledges and consents to this Access Easement.

**Old Mill Solar, LLC**

By:   
Its: VICE PRESIDENT  
Dated: 1/19/2016

## **REPRESENTATIVE ACKNOWLEDGEMENT**

STATE OF FLORIDA )  
COUNTY OF PALM BEACH ) SS.

This instrument was acknowledged before me on the 19 day of JANUARY, 2016.

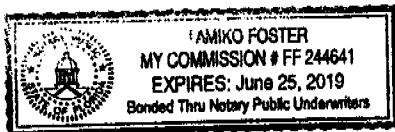
by MATT HANDEL

Insert representative's name

as VICE PRESIDENT  
[Insert title of authority, i.e. title of representative]

of OLD MILL SOLAR, LLC.  
Insert name of party on behalf of whom instrument was executed

Insert type of authority, i.e., title of representative



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**Notary Public**

My commission expires: JUNE 25, 2019

## REPRESENTATIVE ACKNOWLEDGEMENT

This instrument was acknowledged before me on the 11th day of March, 2016.

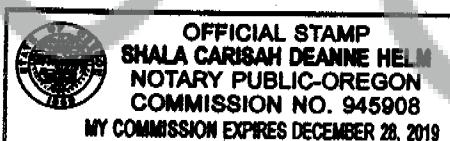
by Mark Eisenstein

Insert representative's name

as Authorized Member  
Entered upon authority, i.e., title of representative

of International Capital, UC  
In consideration of you, on behalf of whom, instrument was executed.

Insert name of party on behalf of whom instrument was executed



**Notary Public**

My commission expires: 12/2011

Exhibit A:

Access is located over a portion of the following:

R-3614-03400-00204-000

PARCEL 1

All that portion of the following described property lying Easterly of the Easterly line of State Highway also known as the Klamath Falls-Lakeview Highway.

That portion of the SW 1/4 of the NE 1/4 and the E1/2 of the NW 1/4 of Section 34, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the intersection of the Westerly line of the right-of-way of the Oregon California and Eastern Railway and the Southerly line of the said NE 1/4 of said Section 34, which point is 2173 feet West of the East quarter corner thereof, thence North 28° 53' West along the Westerly line of the railway right-of-way 1751 feet to a one inch iron pipe driven in the ground; thence South 69° 46' West 940 feet to an iron pin in a mound of Rock; thence South 20° 6' East in the line of a fence 1318 feet to a fence on the Southerly line of the E1/2 of the NW1/4 of said Section 34; thence North 88° 43' East along the Subdivision line 1283 feet to the point of beginning.

ALSO that portion of the W1/2 of the NE1/4 and NW1/4 of SE1/4 of Section 34, Township 36 South, range 14 East of the Willamette Meridian, Klamath County, Oregon, lying Easterly of the Easterly right of way line of the Oregon, California and Eastern Railroad right of way, EXCEPT THEREFROM those portions described in Deed recorded November 22, 1950 in Deed Volume 243, page 444 to Weyerhaeuser Timber Company and recorded August 5, 1969 in Volume M69, page 6799 to Modoc Lumber Company and those portions described in Deed recorded July 3, 1970 in Volume M70, page 5451, Microfilm Records of Klamath County, Oregon to Weyerhaeuser Company.

R-3614-03400-01200-000

PARCEL 3

That portion of the former Oregon California and Eastern Railway Company right of way in Section 34, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, conveyed by deed recorded July 13, 1992 in Volume M92, page 15208, Microfilm Records of Klamath County, Oregon, lying South of the South line of the NE1/4 NW1/4 of said Section 34.

R-3614-034DB-00100-000

**PARCEL 4**

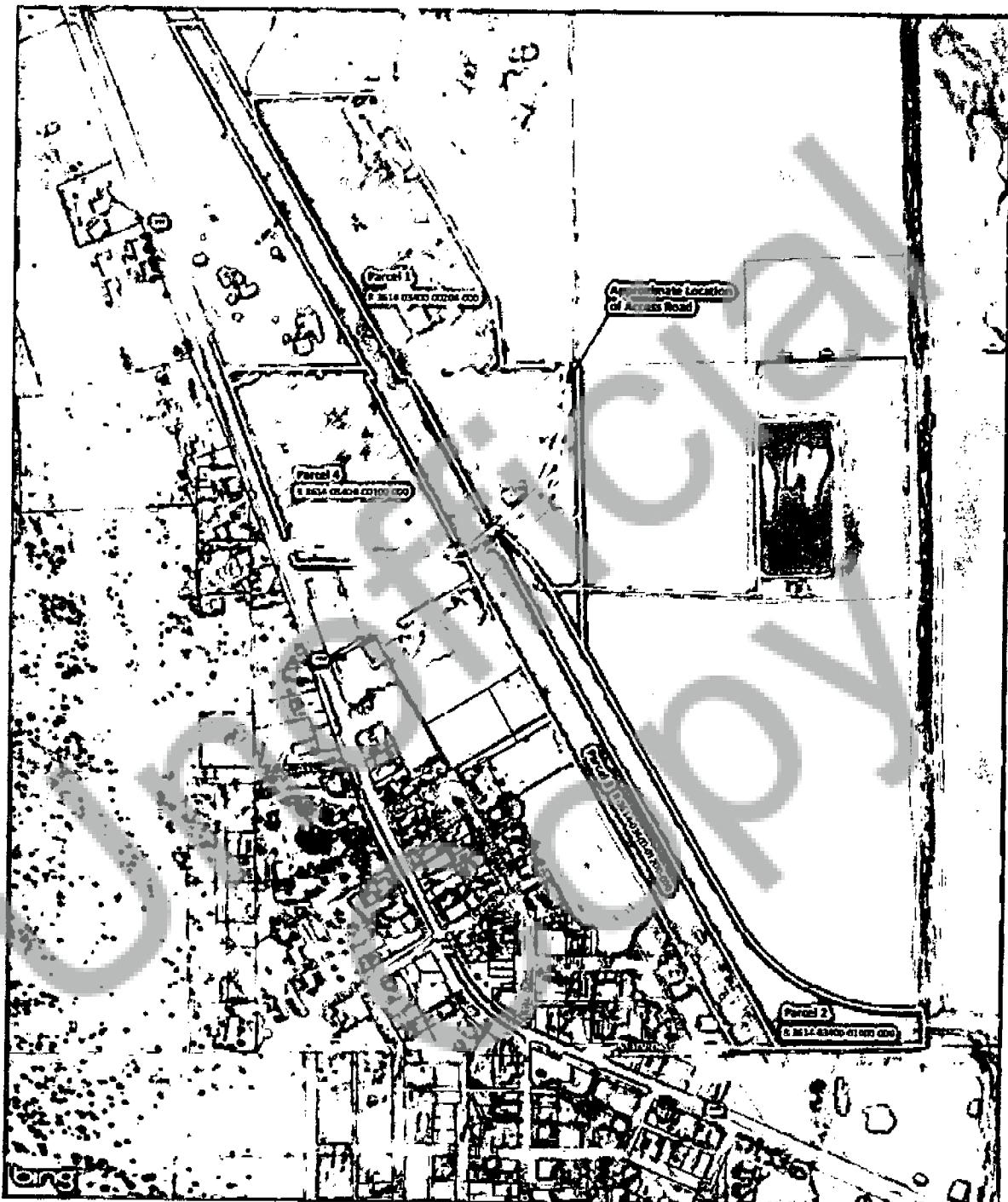
Lot J of North Bly, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXCEPTING THEREFROM the North 20 feet thereof deeded to Basil Hall by deed recorded June 11, 1941 in Volume 138, page 430, Deed Records of Klamath County, Oregon.

AND EXCEPTING THEREFROM the Westerly 150 feet thereof conveyed to the State of Oregon by and through its State Highway Commission by deed recorded December 11, 1951 in Volume 251, page 475, Deed Records of Klamath County, Oregon.

**Exhibit B:**  
(see following page)

Unofficial  
Copy



Klamath County, Oregon Parcels

- INTERNATIONAL CAPITAL LLC (WHITE HATCHING)
- WEYERHAEUSER NR COMPANY
- TAX PARCEL
- APPROXIMATE LOCATION OF ACCESS ROAD

0 200 400 600 800 1000  
feet

**PACIFICORP**

AN ENERGY COMPANY  
REGULATED BY THE STATE OF OREGON

Data is furnished by  
City of Klamath, Oregon, 2000.  
Pacificorp makes no representations or warranties as to the  
accuracy, completeness or fitness for a particular purpose  
of the data and information contained in this map.  
Pacificorp shall not be responsible for liability for any  
injury or damage resulting from the use of the information  
contained in this map.