



03/11/2016 02:42:47 PM

Fee: \$72.00

After Recording Return to: ✓

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

Robert McQueen  
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.

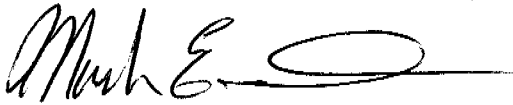
Grantor shall have the right to install a gate(s) across the roadway; however, if the gate(s) is/are locked by Grantor, Grantee may install its own lock.

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 MARCH, 20 16



**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.

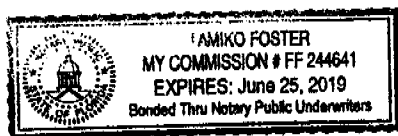
**Old Mill Solar, LLC**

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

REPRESENTATIVE ACKNOWLEDGEMENT

STATE OF FLORIDA )  
 ) SS.  
COUNTY OF PALM BEACH )

This instrument was acknowledged before me on the 19 day of JANUARY, 2016  
by MATT HANDEL  
Insert representative's name  
as VICE PRESIDENT of OLD MILL SOLAR, LLC  
Insert type of authority, i.e., title of representative Insert name of party on behalf of whom instrument was executed

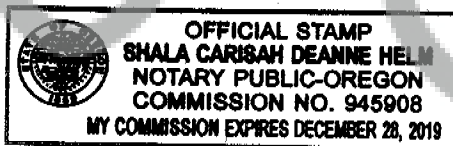


[Signature]  
Notary Public  
My commission expires: JUNE 25, 2019

REPRESENTATIVE ACKNOWLEDGEMENT

STATE OF OREGON )  
 ) SS.  
COUNTY OF JACKSON )

This instrument was acknowledged before me on the 11th day of MARCH, 2016  
by Mark Eisenstein  
Insert representative's name  
as Authorized Member of International Capital, LLC  
Insert type of authority, i.e., title of representative Insert name of party on behalf of whom instrument was executed



[Signature]  
Notary Public  
My commission expires: 12/28/19

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.

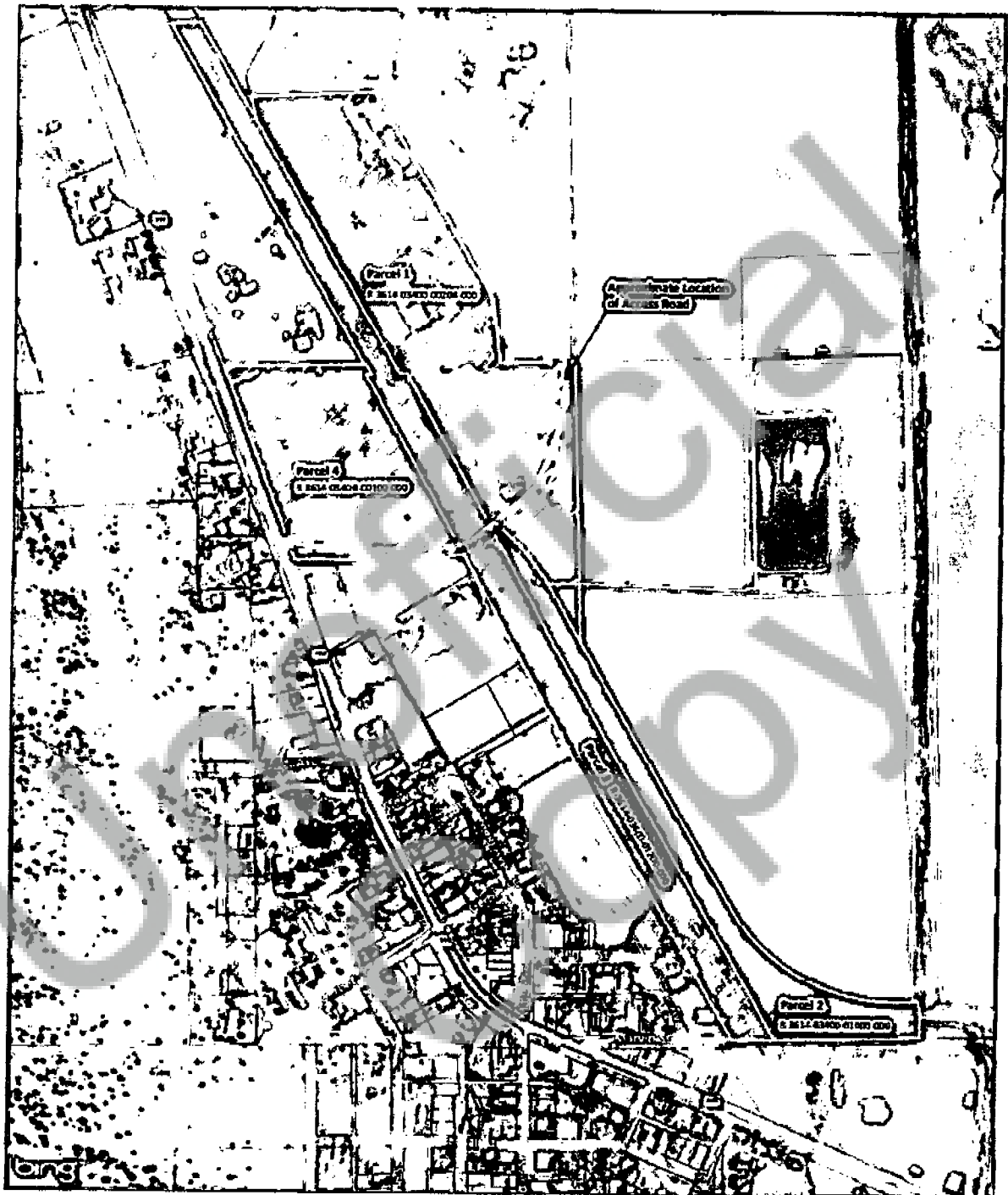
EXCEPTING THEREFROM the North 20 feet thereof deeded to Basil Hall by deed recorded June 11, 1941 in Volume 138, page 430, Deed Records of Klamath County, Oregon.

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.

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

Unofficial  
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# **Klamath County, Oregon Parcels**

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

0 1,000 2,000 Feet

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**PACIFICORP**

AN EQUAL OPPORTUNITY  
EMPLOYER

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