

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

**2016-010300**

Klamath County, Oregon



00192951201600103000040049

09/28/2016 01:18:21 PM

Fee: \$57.00

CC#: 11176 WO#: 6085039

### **OVERHANG RIGHT OF WAY EASEMENT**

For value received, **Heaton Steel and Supply, Inc.** ("Grantor"), hereby grants to PacificCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a perpetual easement for a right of way **6** feet in width, 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: overhang of pole crossarms, overhead conductors and communication lines; along the general course now located by Grantee, over and across 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 & B** attached hereto and by this reference made a part hereof:

A portion of:

#### ***RAILROAD ADDITION, BLOCK 8, LOT 1 & 2 W2***

Assessor's Map No. R-3809-033BB-10200-000

Parcel No. R415296

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 determined by 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 19 day of sep, 2016

  
**Heaton Steel And Supply, Inc. GRANTOR**

**REPRESENTATIVE ACKNOWLEDGEMENT**

State of Oregon }  
County of Klamath } SS.

This instrument was acknowledged before me on this 19th day of Sept, 2016,

by Marc R. Hodder, as President,  
Name of Representative Title of Representative

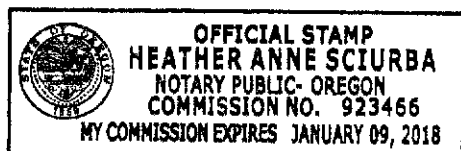
of Heaton Steel & Supply Inc.  
Name of Entity on behalf of whom this instrument was executed



[Seal]

Notary Public

My commission expires: Jan 9 2018



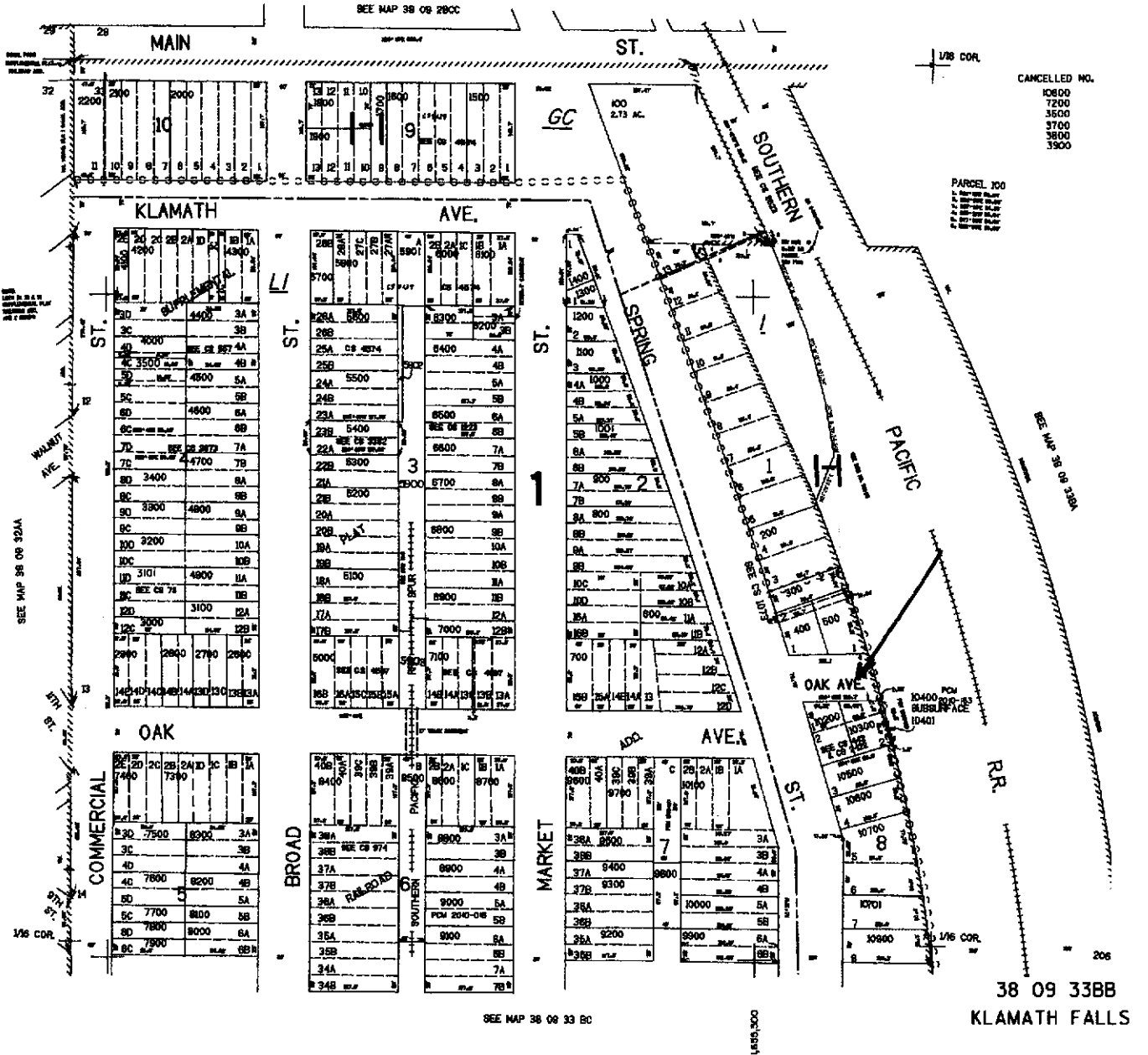
REVISED 11-04-13

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

NW1/4 NW1/4 SEC. 33 T.38S. R.09E. W.M.  
KLAMATH COUNTY

1"=400'

38 09 33BB  
KLAMATH FALLS

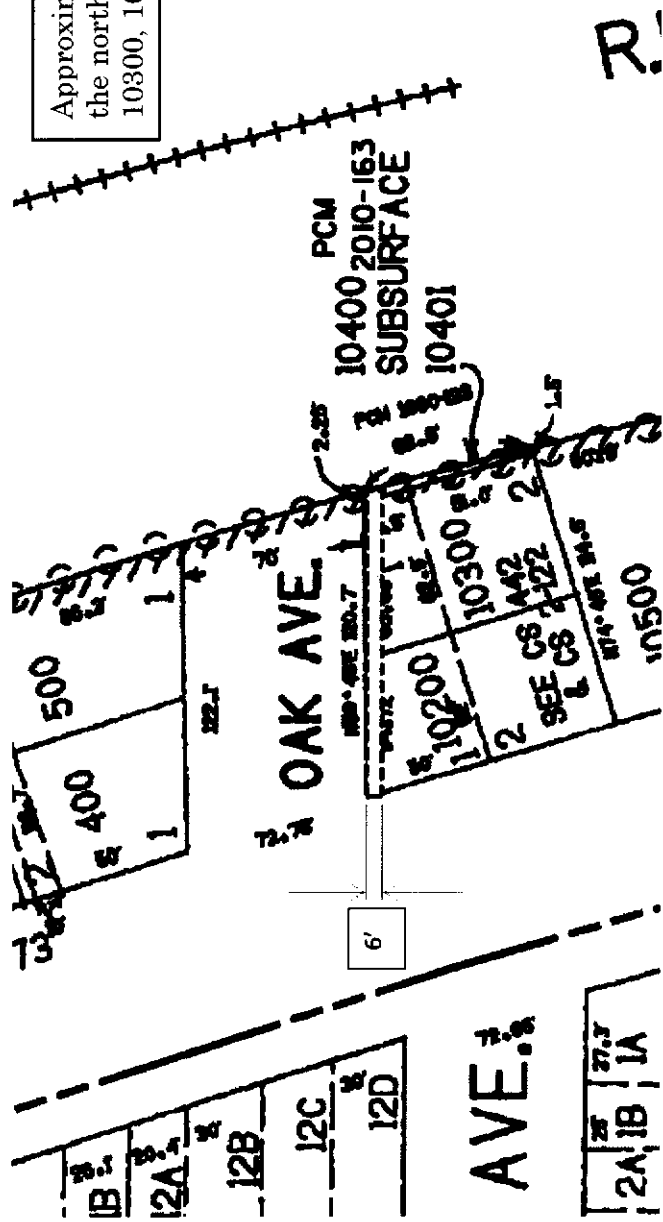


**PROPERTY DESCRIPTION**

Section: 33, Township: 38S, Range: 9E, Meridian: Willamette, Klamath County, State of Oregon.  
Map / Tax Lot or Parcel No.: R-3809-033BB-10200-000



Approximate dimensions- 6'x123' along  
the north edge of 3 tax parcels (10200,  
10300, 10400)



This drawing should be used only as a representation of the location of the easement area. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

CC#: 11176 WO#: 6085039	<b>EXHIBIT A</b> <b>PACIFIC POWER</b> A DIVISION OF PACIFICORP
Landowner Name: Heaton Steel	
Drawn by: Shelangouski	