

2017-001464

Klamath County, Oregon



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02/10/2017 01:13:37 PM

Fee: \$52.00

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

CC#: 11176 WO#: 6220931

RIGHT OF WAY EASEMENT

For value received, *Fred Meyer Stores, Inc., an Ohio corporation* ("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 **160** 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 anchors, 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:

The SW 1/4, of the SW 1/4, of Section 34, Township 38 S, Range 9 E of the Willamette Meridian.

Assessor's Map No. R-3809-034CC-00301-000

Parcel No. 00301

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 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 1st day of February, 2017.

Kathryn Krieser
(Insert Grantor Name Here) GRANTOR

(Insert Grantor Name Here) GRANTOR

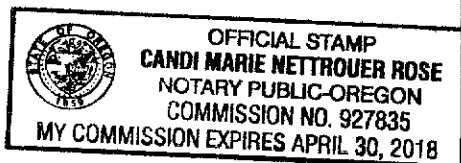
REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }
County of Multnomah } SS.

This instrument was acknowledged before me on this 1 day of February, 2017,
by Kathryn Krieser, as Project Manager,
Name of Representative Title of Representative
of Fred Meyer Stores, Inc.
Name of Entity on behalf of whom this instrument was executed

[Seal]

Candi Marie Nettrouer Rose
Notary Public
My commission expires: 4-30-18



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PACIFIC POWER
 A DIVISION OF PACIFICORP