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03/10/2017 01:01:09 PM

Fee: \$52.00

Returned at Counter

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

CC#: 11176 WO#: 6245379

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **Klamath Falls Subaru, LLC** ("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 **300** 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** attached hereto and by this reference made a part hereof:

A portion of:

Parcel 2- A tract of land situated in Lots 4 and 5, Block 6, Tract 1080, WASHBURN PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, More particularly described as follows:

Beginning in the East corner common to said Lots 4 and 5; thence South 00°04'50" West, along the Westerly line of Washburn Way, 123.71 feet; thence West 249.61 feet; thence North 00°09'45" East 175.00 feet; thence 249.36 feet to said Westerly line of Washburn Way; thence South 00°04'50" West 51.29 feet to the point of beginning, containing 1.00 acre (43,600 square feet) with bearings based on the subdivision plat of said tract 1080, WASHBURN PARK.

Assessor's Map No.: **39 09 04DD**

Parcel No.: **R531516**

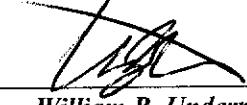
Together with the right of ingress and egress for Grantee, its contractors, or agents, to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefore) the future 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.

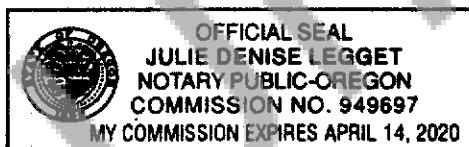
Dated this 3 day of March, 2017.


William B. Underriner, Managing Partner GRANTOR

REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon)
County of Klamath) SS.

This instrument was acknowledged before me on this 3rd day of March, 2017,
by Julie, as Managing Partner,
of Klamath Falls Subsidiary LLC.
Name of representative Title of representative
Name of entity being represented



Notary Public

My commission expires:

4/14/2020

PROPERTY DESCRIPTION

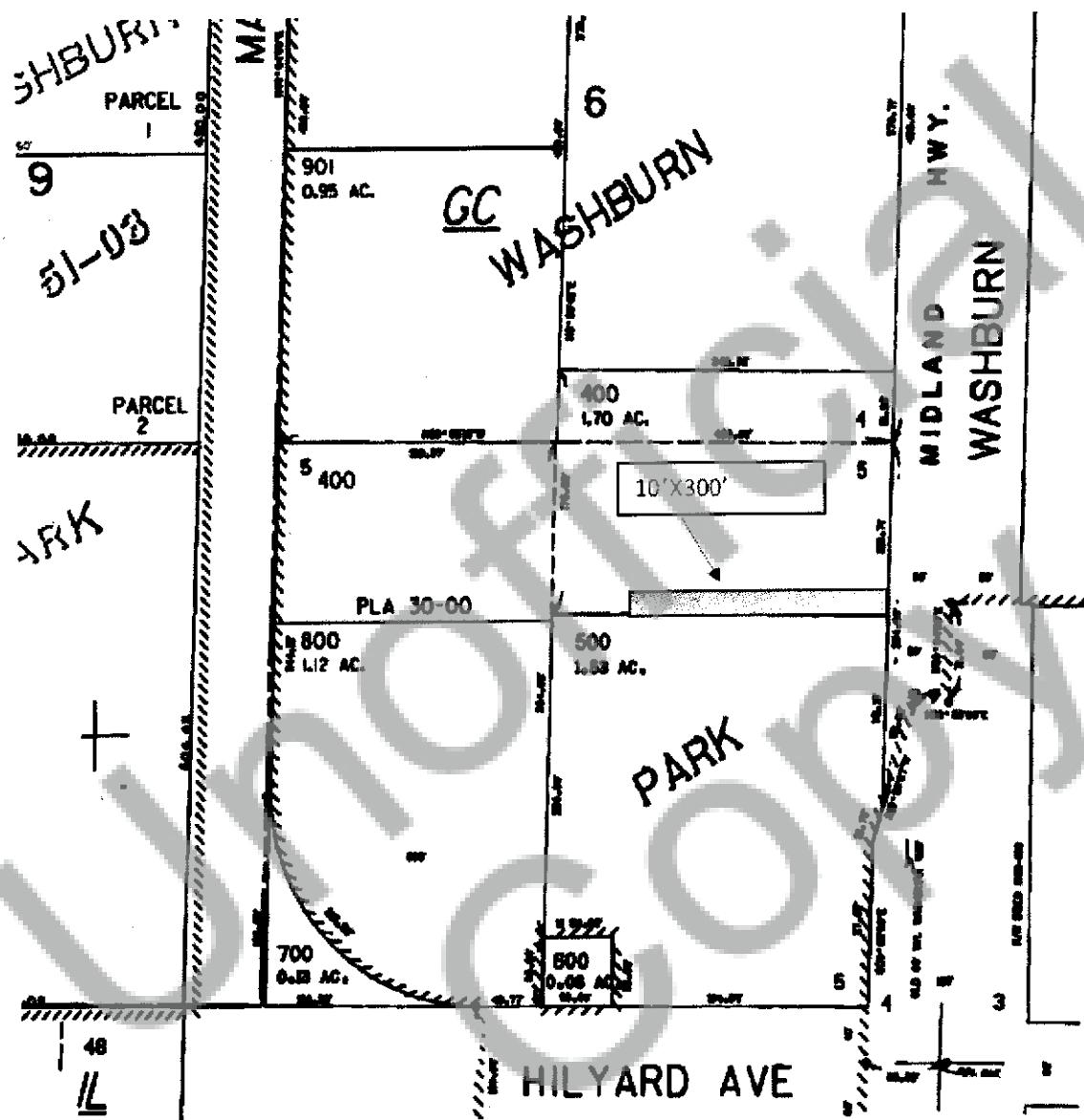
Section: 04, Township: 39N, Range: 9E, Willamette Meridian,

Klamath County, State of Oregon.

Map / Tax Lot or Parcel No.: R-3909-004DD-00400-000

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N

SEE MAP 39 08 03CC



CC#: 11176 WO#: 6245379

Landowner Name: 2810 Washburn Wy

Drawn by: Shelangouski

EXHIBIT A

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.

 **PACIFIC POWER**
A DIVISION OF PACIFICORP