

Returned at Counter

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

2017-006587

Klamath County, Oregon



00205300201700065870030037

06/15/2017 02:12:33 PM

Fee: \$52.00

CC#: 11176 WO#: 6347692

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **Pacific Crest Federal Credit Union** ("Grantor"), hereby grants to PacificCorp, an Oregon corporation, its successors and assigns ("Grantee"), a perpetual easement for a right of way **10** feet in width and **70** 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 1- A tract of land situated in Lot 5, Block 6, Tract 1080, Washburn Park, a duly recorded subdivision, more particularly described as follows:

Beginning at the Southeast corner of said Lot 5; thence West along the North line of Hilyard Avenue 194.04 feet; thence N. 00°09'45" E. 50.00 feet; thence West 50.00 feet; thence N00°09'45"E; 230.00 feet, thence East 249.61 feet to the Westerly line of Washburn Way; thence along a Westerly line of Washburn Way, S. 00°04'50" W. 141.19 feet, S. 16°39'57" W. 21.75 feet, S. 00°02'00" E. 117.97 feet to the point of beginning, with bearings based on the subdivision plat of said tract 1080, Washburn Park, containing 1.53 acres.

Assessor's Map No.: **R-3909-004DD-0500-000**

Parcel No.: **R531525**

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.

Grantor represents and warrants that it possesses all right, title and interest in and to the right of way area, free and clear of any lien, security interest, encumbrance, claim, license or other restriction that would interfere with Grantee's use of the right of way area for the purposes contemplated hereunder.

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 5th day of May, 2017.



Chad Olney- President and CEO GRANTOR

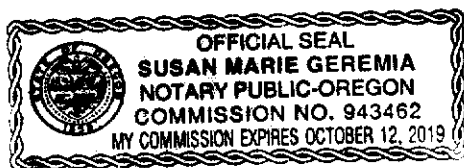
REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } SS.

This instrument was acknowledged before me on this 5 day of May, 2017

by Chad Olney, as CEO
Name of Representative Title of Representative

of Pacific Crest FCU
Name of Entity on behalf of whom this instrument was executed



Susan M. Geremia
Notary Public

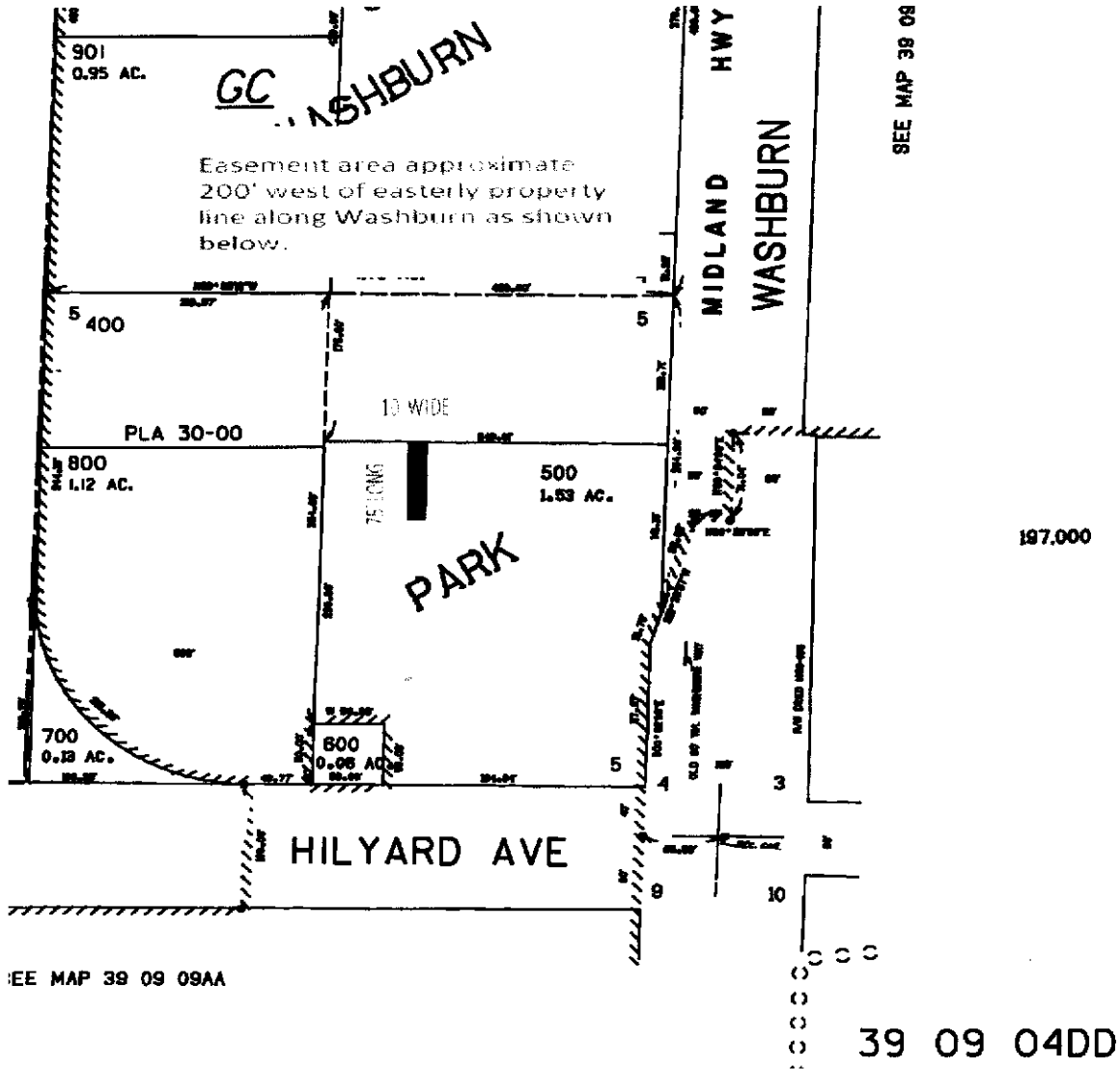
My commission expires: 10/12/2019

PROPERTY DESCRIPTION

Section: 04, Township: 39 S., Range: 09 E., Willamette Meridian,

Klamath County, State of Oregon.

Map / Tax Lot or Parcel No.: R-3909-004DD-0500-000



CC#: 11176 WO#: 6347692

Landowner Name: Pacific Crest CU.

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