

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

2017-012248
Klamath County, Oregon



10/24/2017 02:48:06 PM

Fee: \$52.00

CC#: 11176 WO#: 6326150

RIGHT OF WAY EASEMENT

For value received, **Union High School District #2** ("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 **110** 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:

"A tract of land in NE/4 SE/4 and SE/4 SE/4 of Section 29, T38S R9E of the Willamette Meridian, City of Klamath Falls, Klamath County, Oregon, being more particularly described as Lot A of Hot Springs Addition."

Assessor's Map No. 380929DA 10800 & 380929DD 100

Parcel No. R789766 & R789757

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.

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 11th day of October, 2017.

Paul Hilleyer
Dr. Paul Hilleyer - Superintendent GRANTOR

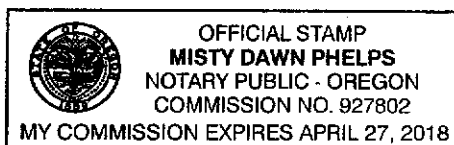
REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon } SS.
County of Klamath }

This instrument was acknowledged before me on this 11 day of October, 2017.

by Paul Hilleyer, as Superintendent,
Name of Representative Title of Representative

of Union High District #2,
Name of Entity on behalf of whom this instrument was executed

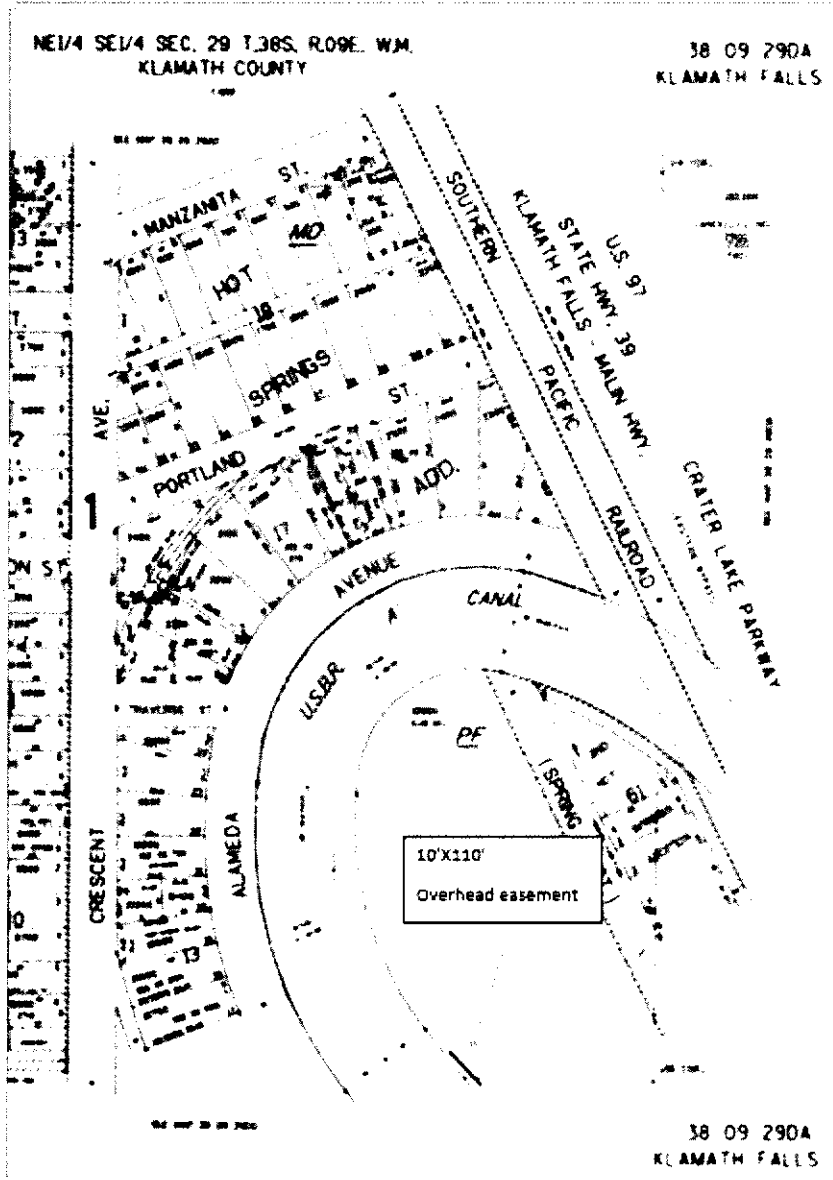


Misty Dawn Phelps
Notary Public
My commission expires: 4/27/2018

PROPERTY DESCRIPTION

Section: 28, Township: 38N, Range: 9E, Willamette Meridian,
Klamath County, State of Oregon.

Map / Tax Lot or Parcel No.: R-3809-029DA-10800-000



CC#:11176 WO#: 6326150

Landowner Name: KFalls City Schools

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