

2018-004685

Klamath County, Oregon



00220843201800046850030033

04/18/2018 11:57:14 AM

Fee: \$52.00

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

Returned at Counter

CC#: 11176 WO#: 006421299

### UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **Mark W. & Tammy L. Ahalt** ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns ("Grantee"), a perpetual easement for a right of way **20** feet in width and **1600** 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:

**NW 1/4 SW 1/4 Section 23 TWSHP. 38S. RNG. 8E. W.M.**

Assessor's Map No.: **R-3808-02300-00400-000**

Parcel No.: **00400**

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.

**JURY WAIVER.** 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

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A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED. THIS PARAGRAPH WILL SURVIVE THE EXPIRATION OR TERMINATION OF THIS AGREEMENT.

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 10<sup>th</sup> day of April, 2018.

Mark W. Ahalt  
Mark W. Ahalt GRANTOR

Tammy L. Ahalt  
Tammy L. Ahalt GRANTOR

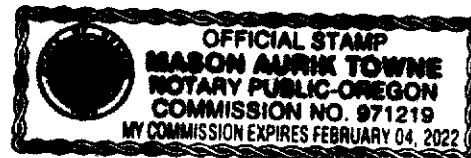
**INDIVIDUAL ACKNOWLEDGEMENT**

State of Oregon  
County of Klamath } SS.

This instrument was acknowledged before me on this 10<sup>th</sup> day of April, 2018,  
by Mark W. Ahalt Tammy L. Ahalt  
Name(s) of individual(s) signing document

Mason Towne  
Notary Public

My commission expires: February 01, 2022



**R-C**  
**RHINE-CROSS**  
**GROUP**

**RHINE-CROSS GROUP LLC**

ENGINEERING - SURVEYING - PLANNING  
112 N 5th ST - SUITE 200 - P.O. BOX 909  
KLAMATH FALLS, OREGON 97601

Phone: (541) 851-9405

Fax: (541) 273-9200

admin@rc-grp.com

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Marcus D. Cross*

OREGON  
JULY 6, 2010  
MARCUS D. CROSS  
55506PLS

RENEWALS: 12-31-2019

**EXHIBIT**

POWER LINE EASEMENT  
ASHTO TO PACIFIC POWER  
MARCH 2018

