

2018-009230

Klamath County, Oregon



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08/03/2018 02:03:50 PM

Fee: \$97.00

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

Returned at Counter

CC#: 11176 WO#: 6534920

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, *James R. Childs and Shannon R. Childs, husband and wife* ("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 **325** 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, B** attached hereto and by this reference made a part hereof:

A portion of:

Exhibit A

Assessor's Map No.: **R-3809-007D0-01800-000**

Parcel No.: **R430484**

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 31 day of July, 2018.



James R. Childs GRANTOR



Shannon R. Childs GRANTOR

INDIVIDUAL ACKNOWLEDGEMENT

State of Oregon
County of Klamath } SS.

This instrument was acknowledged before me on this 31 day of July, 2018,
by James and Shannon Childs.
Name(s) of individual(s) signing document


Notary Public

My commission expires: 02/04/2022



16467

APN: 430484

Statutory Warranty Deed
- continued

File No.: 7021-529475 (SAC)
Date: 03/10/2005

EXHIBIT A

LEGAL DESCRIPTION:

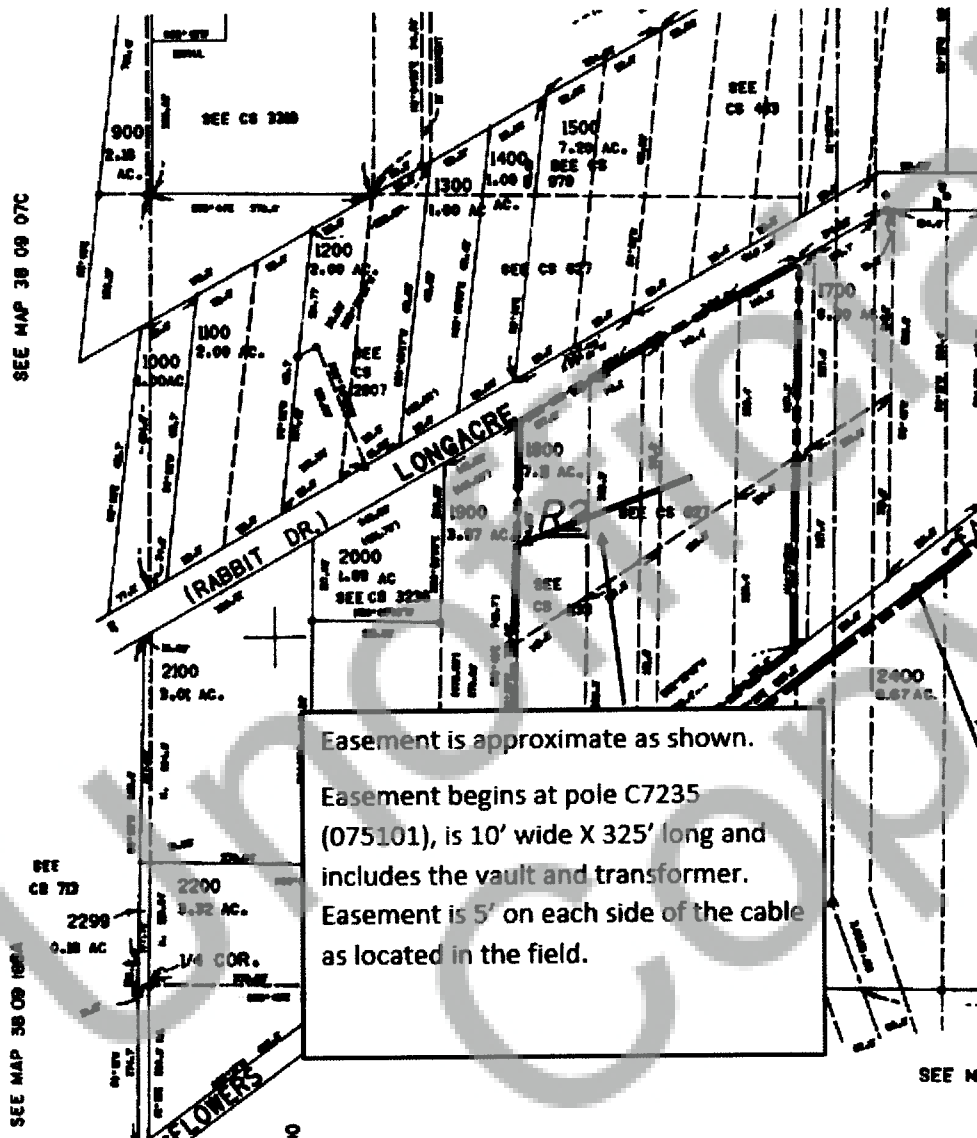
Tract of land in the SW 1/4 SE 1/4 of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at an iron pin which lies South 89°42' East a distance of 372.25 feet and North 52°19' East a distance of 293.9 feet and North 0°49' East a distance of 25.5 feet from the iron axle which marks the quarter section corner common to Sections 7 and 18, Township 38 South, Range 9 East of the Willamette Meridian which point of beginning is also the Southeast corner of that certain parcel conveyed to Lillie Harris by Deed dated July 18, 1931, recorded August 12, 1931 in Book 83 page 401, Deed records of Klamath County, Oregon, and running thence; continuing North 0°49' East along the Easterly side of said parcel conveyed to Lillie Harris, a distance of 749.7 feet to an iron pin; thence North 59°55' East a distance of 531.75 feet to a point; thence South 0°27'55" West 657.5 feet to a point on the Northerly right of way line of a public road; thence South 52°21'40" West, along said right of way line, a distance of 588.4 feet to the point of beginning.

PROPERTY DESCRIPTION

Section: 07, Township: 38S, Range: 09E, Willamette Meridian,
Klamath County, State of Oregon.

Map / Tax Lot or Parcel No.: R-3809-007D0-01800-000



Easement is approximate as shown.

Easement begins at pole C7235
(075101), is 10' wide X 325' long and
includes the vault and transformer.

Easement is 5' on each side of the cable
as located in the field.

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Landowner Name: Jim Childs

Drawn by: Shelangouski

EXHIBIT B

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