

Returned at Counter

2018-009776
Klamath County, Oregon



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

08/17/2018 01:59:06 PM

Fee: \$97.00

CC#: 11176 WO#: 006421299

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **Caledonia Properties llc** ("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 **265'** 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 And B** attached hereto and by this reference made a part hereof:

A portion of:

SE 1/4 NE 1/4 Section 22 T38S. R08E.

Assessor's Map No.: **r-3808-02200-00302-000**

Parcel No.: **Parcel 1 lp. 16-11**

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 21st day of Sept., 2017.

Mark Gill
Caledonia Properties, LLC GRANTOR

REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } SS.

This instrument was acknowledged before me on this 21st day of September, 2017,

by Mark Campbell, as Managing Member,
Name of Representative Title of Representative

of Caledonia Properties,
Name of Entity on behalf of whom this instrument was executed

Roshelle Dawn Munson
Notary Public

My commission expires: January 25, 2021

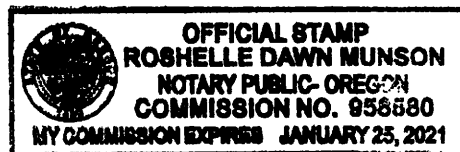
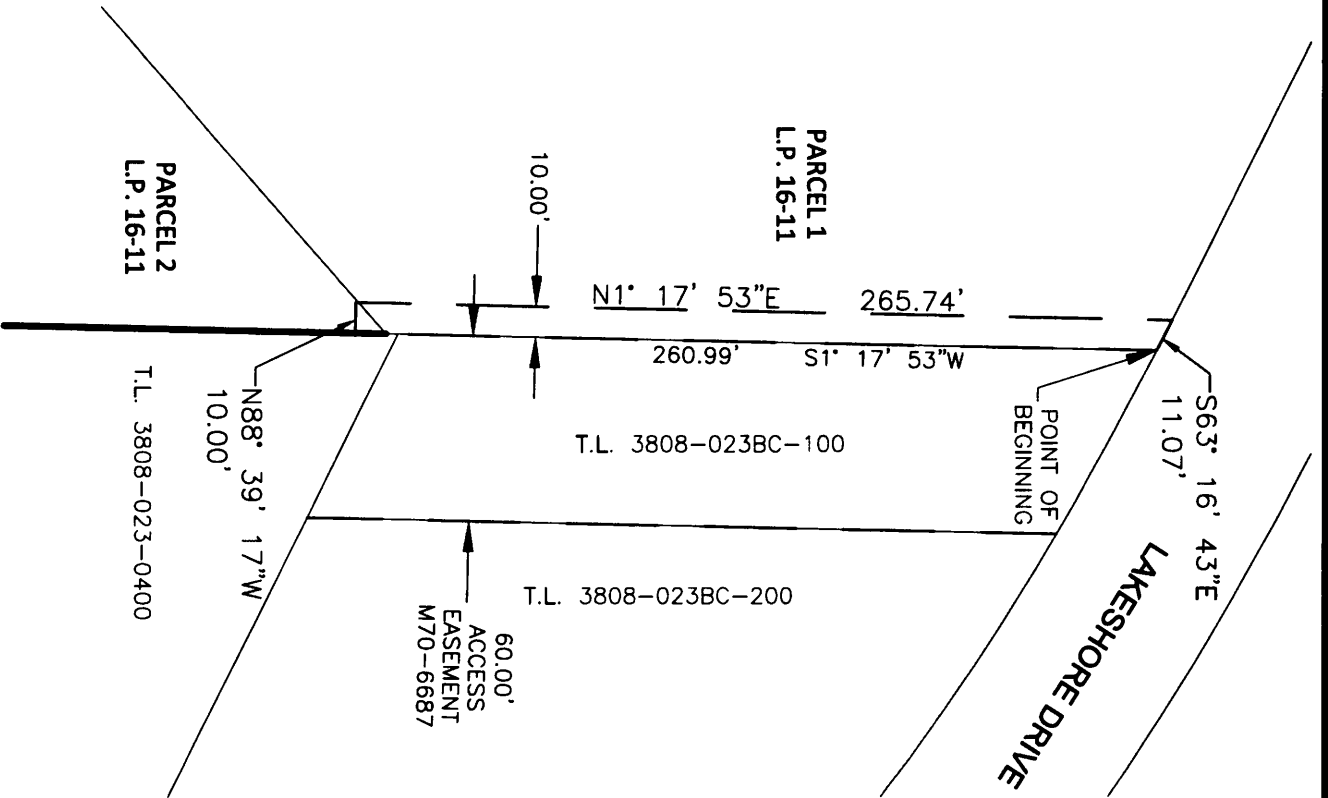


EXHIBIT 'A'

POWER LINE EASEMENT
CALEDONIA PROPERTIES TO PACIFIC POWER
FOR BENEFIT TO AHALT PROPERTY
JULY 2017



1"=60'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Marcus D. Cross

OREGON
JULY 6, 2010
MARCUS D. CROSS
55506PLS

RENEWALS: 12-31-2017

R-C
ENGINEERING & SURVEYING - PLANNING
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

Property Description

POWER EASEMENT DESCRIPTION

A 10 foot wide strip of land, being a portion of Parcel 1 & Parcel 2 of Land Partition 16-11, situated in the SE1/4 NE ¼ of Section 22, T38S, R08E of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the Northeast corner of Parcel 1 of said Land Partition 16-11, said point also being on the southerly right of way line of Lakeshore Drive; thence along the east boundary of said Parcels 1 & 2 South 01°17'53" West, 260.99 feet; thence leaving said east boundary of Parcels 1 & 2 North 88°39'17" West, 10.00 feet; thence North 01°17'53" East, 265.74 feet to a point on the southerly right of way line of Lakeshore Drive; thence along the southerly right of way line of Lakeshore Drive South 63°16'43" East, 11.07 feet to the point of Beginning.

Basis of Bearings is per Land Partition 16-11. Easement contains 2634 sq.ft., more or less.

CC#: 11176

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NAME: Caledonia Prop.

DRAWN BY: P63210

EXHIBIT B

PacifiCorp

SCALE:

NTS

SHEET OF

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