

2019-003474  
Klamath County, Oregon



03/29/2019 02:47:49 PM

Fee: \$97.00

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

CC#: 11176 WO#: 6455492

**UNDERGROUND RIGHT OF WAY EASEMENT**

For value received, *John Peter Kesoglou, William Tran, and Stephan Siman, as Tenants in Common* ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns ("Grantee"), a perpetual easement for a right of way *10* feet in width and *20* 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 therefor; 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:

*Lot 8 in Block 76 of Klamath Addition to the City of Klamath Falls, according to the plat thereof on file in the office of the County Clerk, Klamath County, Oregon.*

Assessor's Map No.: *3809-032AD-09400-000*

Parcel No.: *476764*

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 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 conduct or permit any ground penetrating activity or excavation in the right of way without the express written consent of the Grantee. Subject to the foregoing limitations, 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

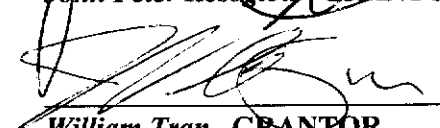
A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED. THIS PARAGRAPH WILL SURVIVE THE EXPIRATION OR TERMINATION OF THIS AGREEMENT.

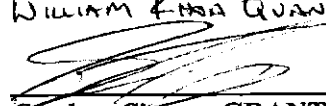
Grantor represents and warrants that it possesses all right, title and interest in and to the right of way area, free and clear of any lien, security interest, encumbrance, claim, license or other restriction that would interfere with Grantee's use of the right of way area for the purposes contemplated 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 12 day of March, 2019.

  
John Peter Kesoglou GRANTOR

  
William Tran GRANTOR  
WILLIAM & HOA QUANG TRAN

  
Stephan Siman GRANTOR  
Stephan Alexis Siman

**INDIVIDUAL ACKNOWLEDGEMENT**

**See Attached Certificate**

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } SS.

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_,  
by \_\_\_\_\_

Name(s) of individual(s) signing document

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of ORANGE )

On 03.12.2019 before me, EBRU ELCIN SUZER, NOTARY PUBLIC,  
Date Here Insert Name and Title of the Officer

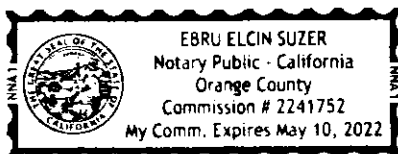
personally appeared JOHN PETER KESOGLOU,  
Name(s) of Signer(s)

WILLIAM TRAN, STEPHAN SIMAN

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: UNDERGROUND RIGHT Document Date: 03.12.2019  
Number of Pages: 1 Signer(s) Other Than Named Above: OF WAY EASEMENT

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Individual ☐ Attorney in Fact  
☐ Trustee ☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

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☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
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☐ Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

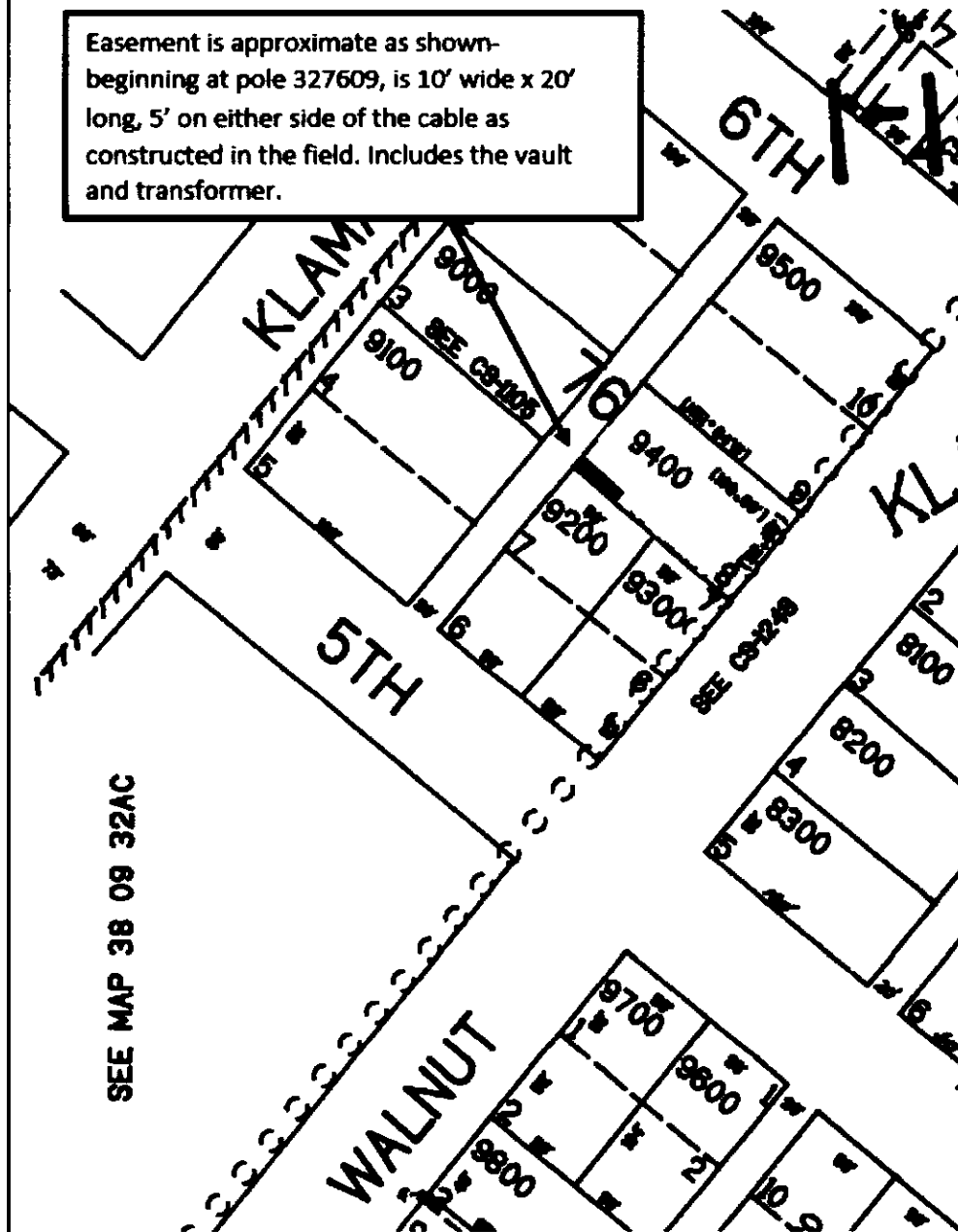
### PROPERTY DESCRIPTION

In the SE ¼ NE ¼ of Section 32, Township 39S, Range 08E  
of the W.M. Meridian, Klamath County, State of Oregon.

Map / Tax Lot or Assessor's Parcel No.: 3809-032AD-09400-000



Easement is approximate as shown-  
beginning at pole 327609, is 10' wide x 20'  
long, 5' on either side of the cable as  
constructed in the field. Includes the vault  
and transformer.



CC#: 11176 WO#:6455492 ROW#:

Landowner: Jupiter Data

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