

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

2019-007356

Klamath County, Oregon



00242959201900073560030031

06/28/2019 03:33:46 PM

Fee: \$92.00

CC#: 11176 WO#: 6592280

RIGHT OF WAY EASEMENT

For value received, **Craig E. Allen and Marcia Allen** ("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 **290** 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 parcel of land situate in the NE 1/4 of the SW 1/4 of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the center 1/4 corner of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, said center 1/4 corner based on Dewitt Home Tracts, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, thence South 89° 49' West 670.00 feet; thence South 30.00 feet to a 5/8 inch iron pin on the south line of Balsam Drive, said point also being on the West line of the certain property retained by Albert L. Hand, et ux in Volume M75, page 550, Microfilm Records of Klamath County, Oregon, thence South along said West line, 289.00 feet; thence South 89° 49' West 151.00 feet; thence North 289.00 feet to a 5/8 inch iron pin on the South Line of Balsam Drive, thence North 89° 49' East, 151.00 feet to the point of beginning, bearings based on Survey No. 3626.

Assessor's Map No. 3908-012C0-00300-000

Parcel No. 774095

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.

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 29th day of May, 2019.

DECEASED

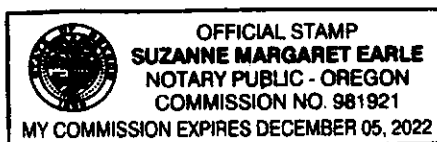
Craig E. Allen GRANTOR

Marcia Rae Allen
Marcia Allen GRANTOR

INDIVIDUAL ACKNOWLEDGEMENT

State of Oregon
County of Klamath } SS.

This instrument was acknowledged before me on this 29 day of May, 2019,
by Marcia Rae Allen
Name(s) of individual(s) signing document



Suzanne Margaret Earle
Notary Public

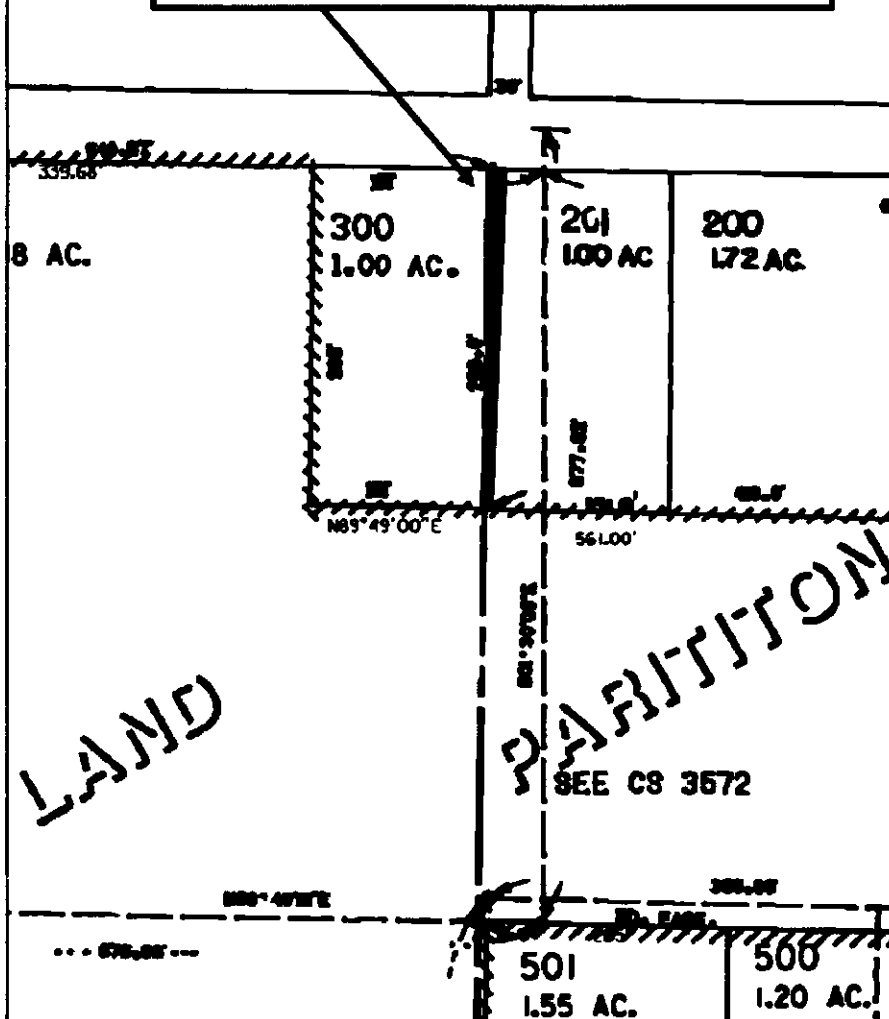
My commission expires: Dec 05, 2022

PROPERTY DESCRIPTION

In the SW 1/4 of Section 12, Township 39S, Range 08E
of the Willamette Meridian, Klamath County, State of Oregon.
Map / Tax Lot or Assessor's Parcel No.: 3908-012C0-00201-000



Easement approximate as shown, 10' wide X 290'
long, 5' on either side of the overhead distribution
line as constructed in the field.



CC#: 11176 WO#: 6592280 ROW#:

Landowner: Allen

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