

2022-002423

Klamath County, Oregon



00296088202200024230040046

02/25/2022 11:19:12 AM

Fee: \$97.00

Return to: Pacific Power  
Attn: Right of Way  
825 NE Multnomah Street, Suite 1700  
Portland, OR 97232

RW20210513

**RIGHT OF WAY EASEMENT**

For value received, *Phyllis Claridge Shidler, Trustee of the Phyllis Claridge Shidler Living Trust, dated 08/29/2012* ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a perpetual easement for a right of way varying in width and containing 45,070 square feet, 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 & B attached hereto and by this reference made a part hereof:

A portion of:

All that portion of the SW1/4 NW1/4 and all that portion of Government Lot 4 in Section 20, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying West of the right of way line of the California Northeastern Railway Company, SAVING AND EXCEPTING that property described in Deed Volume 289, page 623, Deed Records of Klamath County, Oregon, and also excepting any portion thereof lying within existing roadways, ditches, canals and laterals.

Assessor's Map No. 39S09E20 TL 900

Parcel No. R580972

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 2 day of February, 2022

**GRANTOR**

*Phyllis Claridge Shidler*  
Phyllis Claridge Shidler, Trustee of the Phyllis Claridge  
Shidler Living Trust, dated 08/29/2012

*Phyllis Claridge Shidler Trust, dated 8/29/12*

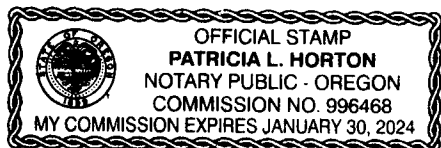
REPRESENTATIVE ACKNOWLEDGEMENT

STATE OF Oregon

COUNTY OF Klamath

This instrument was acknowledged before me this 2 day of February, 2022,

by Phyllis Claridge Shidler, as Trustee of the Phyllis Claridge Shidler Living Trust, dated  
08/29/2012.



*Patricia L. Horton*  
Notary Public  
My Commission expires: 30 January 2024

**EXHIBIT "A"**

KLAMATH TO SNOW GOOSE T-LINE  
JANUARY 19, 2022  
PARCEL 1

ASSESSORS MAP: 39S09E20  
TAX LOT NO.: 00900

**PARCEL 1 (OVERHEAD POWERLINE EASEMENT)**

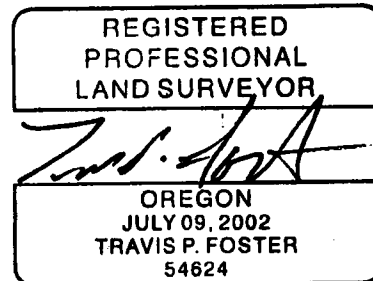
A PARCEL OF LAND LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 20, TOWNSHIP 39 SOUTH, RANGE 9 EAST, WILLAMETTE MERIDIAN, COUNTY OF KLAMATH, STATE OF OREGON, BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO PHYLLIS CLARIDGE SHIDLER, TRUSTEE OF THE PHYLLIS CLARIDGE SHIDLER LIVING TRUST, PER THAT CERTAIN DOCUMENT NO. 2021-000598, RECORDED JANUARY 1, 2021, IN THE KLAMATH COUNTY RECORDS, SAID PARCEL BEING 80.00 FEET IN WIDTH, 40.00 FEET EACH SIDE OF THE CENTERLINE DELINEATED BY FOLLOWING THE BELOW NOTED BEARINGS AND DISTANCES.

BEGINNING AT PACIFICORP POWER POLE NUMBER 12/4, BEING SOUTH 69°27'34" EAST A DISTANCE OF 5782.26 FEET FROM THE SOUTHEAST SECTION CORNER OF SECTION 20; THENCE NORTH 33°15'20" EAST A DISTANCE OF 327.25 FEET TO POWER POLE NUMBER 11/4, SAID POWER POLE BEARS SOUTH 66°15'35" EAST A DISTANCE OF 5719.15 FEET FROM THE SOUTHEAST CORNER OF SECTION 20; THENCE NORTH 32°59'28" EAST A DISTANCE OF 322.89 FEET TO POWER POLE 10/4, SAID POLE BEARS SOUTH 63°02'29" EAST A DISTANCE OF 5676.19 FEET FROM THE SOUTHEAST CORNER OF SECTION 20; THENCE NORTH 32°58'25" EAST A DISTANCE OF 309.12 FEET TO POWER POLE 9/4, SAID POWER POLE BEARS SOUTH 59°55'24" EAST A DISTANCE OF 5652.17 FEET FROM THE SOUTHEAST CORNER OF SECTION 20; THENCE NORTH 28°44'17" EAST A DISTANCE OF 341.11 FEET TO POWER POLE 8/4, SAID POWER POLE BEARS SOUTH 85°06'16" EAST A DISTANCE OF 4711.97 FEET FROM THE EAST CORNER OF SECTION 20; THENCE NORTH 33°05'08" EAST A DISTANCE OF 584.21 FEET TO POWER POLE 7/4, SAID POWER POLE BEARS SOUTH 78°29'00" EAST A DISTANCE OF 4465.78 FEET FROM THE EAST CORNER OF SECTION 20; THENCE NORTH 33°09'23" EAST A DISTANCE OF 419.03 FEET TO POWER POLE 6/4, SAID POWER POLE BEARS SOUTH 73°19'16" EAST A DISTANCE OF 4328.81 FEET TO THE EAST CORNER OF SECTION 20, SAID POINT ALSO BEING THE TERMINUS OF THE CENTERLINE OF THE OVERHEAD POWERLINE EASEMENT.

**EXCEPTING THEREFROM**, ALL THAT PORTION LYING WITHIN THE EXISTING RIGHT-OF-WAY OF THE SOUTHERN PACIFIC RAILROAD AND JOE WRIGHT ROAD.

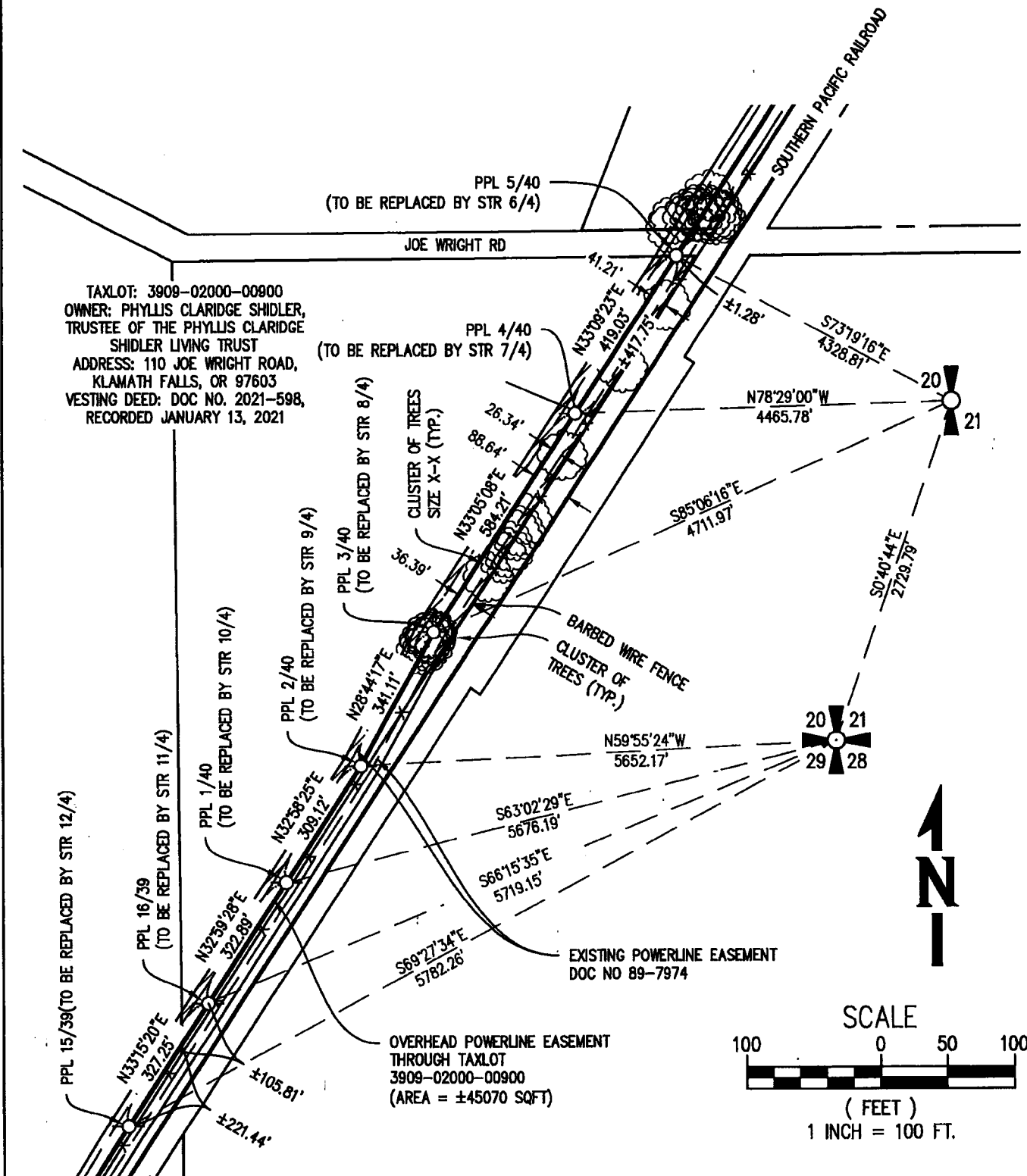
THE PARCEL OF LAND TO WHICH THIS DESCRIPTION APPLIES CONTAINS 45070 SQUARE FEET MORE OR LESS.


ATTACHED HERETO IS A DRAWING LABELED EXHIBIT "B" FOR ILLUSTRATION PURPOSES AND BY THIS REFERENCE MADE A PART HEREOF.



EXPIRATION DATE: 12/31/23

EXHIBIT "B"



SHEET NUMBER  1 OF 1	EXHIBIT "B" PACIFICORP T39S. R9E. SEC 20 KLAMATH COUNTY, OREGON	DRAWING INFO	SHEET INFO	 an NWS Company 9450 NW Commercial Circle, Suite 300 Milwaukie, OR 97139 503-636-0455 Fax 503-636-0775 www.NWS.com
		C000178.00	DRAWN AS	
		C000178.00-EXHIBITS	CHECKED	
		1" = 100'	LAST EDIT 1/18/2022	
			PLOT DATE 1/18/2022	