

2022-002427

Klamath County, Oregon



00296092202200024270040041

02/25/2022 11:30:41 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, **Dale L. Clark** (“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 1,371 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:

A portion of Northwest 1/4 Northeast 1/4 of Section 18, Township 39 South, Range 9 East of the Willamette Meridian in the county of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of the Northwest 1/4 Northeast 1/4 of Section 18, Township 39 South, Range 9 East of the Willamette Meridian; thence Southerly along the Easterly boundary of said Northwest 1/4 Northeast 1/4 of Section 18, 996 feet to the true point of beginning of this description; thence Westerly at right angles to the said Easterly boundary of the said Northwest 1/4 Northeast 1/4 of Section 18, 105.3 feet, more or less, to the Easterly boundary of the Weed-Klamath Falls Highway; as described in deed to Klamath County recorded in Volume 103, Page 444, deed records of Klamath County, Oregon; thence South 20 rods, more or less, along the said Easterly highway boundary line to its intersection with the Southerly line of the Northwest 1/4 Northeast 1/4 of the said Section 18; thence Easterly along the Southerly line of the Northwest 1/4 Northeast 1/4 to the Southeast corner thereof; thence Northerly along the Easterly line of said Northwest 1/4 Northeast 1/4 to the point of beginning.

Assessor’s Map No. 39S09E18 TL 300

Parcel No. R580605

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 28 day of JAN, 2022

Dale L. Clark  
Dale L. Clark GRANTOR

**INDIVIDUAL ACKNOWLEDGEMENT**

State of OREGON  
County of COLUMBIA } SS.

This instrument was acknowledged before me on this 28<sup>th</sup> day of January, 2022,  
by Dale L. Clark.  
Name(s) of individual(s) signing document



[Signature]  
Notary Public  
My commission expires: 4/14/23

**EXHIBIT "A"**

KLAMATH TO SNOW GOOSE T-LINE  
DECEMBER 1, 2021  
PARCEL 1

ASSESSORS MAP: 39S09E18  
TAX LOT NO.: 00300

PARCEL 1 (OVERHEAD POWERLINE EASEMENT)

A PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 9 EAST, WILLAMETTE MERIDIAN, COUNTY OF KLAMATH, STATE OF OREGON, BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO DALE L CLARK, PER THAT CERTAIN DOCUMENT NO. 1998-027395, RECORDED JANUARY 1, 1998, 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.

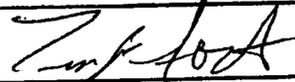
BEGINNING AT PACIFICORP POWER POLE NUMBER 14/2, BEING SOUTH 43°52'14" EAST A DISTANCE OF 5579.08 FEET FROM THE WEST SECTION CORNER OF SECTION 7; THENCE NORTH 86°11'59" EAST A DISTANCE OF 277.67 FEET TO PACIFICORP POWER POLE NUMBER 13/2, SAID POWER POLE BEARS SOUTH 45°59'02" EAST A DISTANCE OF 5761.74 FEET FROM THE WEST SECTION CORNER OF SECTION 7; THENCE NORTH 89°37'43" EAST A DISTANCE OF 273.61 FEET TO POWER POLE NUMBER 12/2, SAID POWER POLE BEARS SOUTH 36°26'00" WEST A DISTANCE OF 1711.86 FEET FROM THE NORTHEAST SECTION CORNER OF SECTION 18, 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 US HIGHWAY 97 (VOLCANIC LEGACY SCENIC BYWAY).

THE PARCEL OF LAND TO WHICH THIS DESCRIPTION APPLIES CONTAINS 1371 SQUARE FEET MORE OR LESS.

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

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JULY 09, 2002  
TRAVIS P. FOSTER  
54624

EXPIRATION DATE: 12/31/21

