

2022-004840

Klamath County, Oregon

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



00298793202200048400050057

04/15/2022 11:45:50 AM

Fee: \$102.00

RW20210513

RIGHT OF WAY EASEMENT

For value received, ***City of Klamath Falls, Oregon***, a municipal corporation ("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 1,674 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:

Parcel 1 of Land Partition 123-06 situated in the North 1/2 of Section 8, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Assessor's Map No. 39S09E8 TL 302

Parcel No. R894266

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, and the future right to clear and cut away all trees outside of the right of way which might endanger the transmission, distribution, or communication lines.

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 7th day of March, 2022.

[SIGNATURES ON THE FOLLOWING PAGE]

GRANTOR

City of Klamath Falls, Oregon, a municipal corporation

By: Jessica Lindsay

Print: Jessica Lindsay

Its: City of Klamath Falls

Date: 3/7/2022

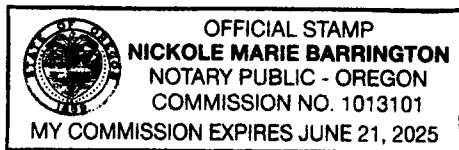
REPRESENTATIVE ACKNOWLEDGEMENT

STATE OF Oregon)

COUNTY OF Klamath)

This instrument was acknowledged before me this 7th day of March, 2022,

by Jessica Lindsay as City Manager for City of Klamath Falls, Oregon, a municipal corporation.



Nickole Marie Barrington
Notary Public
My Commission expires: 6/21/2025

EXHIBIT "A"

KLAMATH TO SNOW GOOSE T-LINE
DECEMBER 13, 2021
PARCEL 1

ASSESSORS MAP: 39S09E8
TAX LOT NO.: 00302

PARCEL 1 (OVERHEAD POWERLINE EASEMENT)

A PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER OF SECTION 8, TOWNSHIP 39 SOUTH, RANGE 9 EAST, WILLAMETTE MERIDIAN, COUNTY OF KLAMATH, STATE OF OREGON, BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO CITY OF KLAMATH FALLS, PER THAT CERTAIN MINOR LAND PARTITION NO. 123-06, FILED JUNE 13, 2007, IN THE KLAMATH COUNTY SURVEYOR'S OFFICE, 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 POWER POLE NUMBER 5/1, SAID POWER POLE BEARS SOUTH 42°02'49" WEST A DISTANCE OF 4758.49 FEET TO THE NORTHWEST SECTION CORNER OF SECTION 17; THENCE NORTH 71°12'59" EAST A DISTANCE OF 282.26 FEET TO POWER POLE 4/1, SAID POWER POLE BEARS NORTH 66°02'15" WEST A DISTANCE OF 3733.28 FEET FROM THE NORTHWEST SECTION CORNER OF SECTION 8, 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 BURLINGTON NORTHERN SANTA FE RAILROAD.

THE PARCEL OF LAND TO WHICH THIS DESCRIPTION APPLIES CONTAINS 1674 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: 12/31/21

EXHIBIT "B"



N66°02'15"W
3733.28'

TAXLOT: 3909-00800-00302
OWNER: CITY OF KLAMATH FALLS
ADDRESS: N/A
DEDICATED PER LP 123-06, FILED
JUNE 13, 2007

N1°31'07"W
5321.36'

PPL 7/1
(TO BE REPLACED BY 4/1)

OVERHEAD POWERLINE EASEMENT ROUTE 1
THROUGH TAXLOT 3909-00800-0302
(AREA = ±1674 SQ FT)

26.45'
±128.47'
±214.38'
±34.28'
±44.01'
282.26'
±19.34'
N17°12'59"E
±75.50'
40.00'

PPL 8/1
(TO BE REPLACED BY 5/1)

EDGE OF WETLAND

BURLINGTON NORTHERN SANTA FE RAILROAD



S42°02'49"W
4758.49'



SCALE
50 0 25 50
(FEET)
1 INCH = 50 FT.

SHEET NUMBER

1 OF 1

EXHIBIT "B"
PACIFICORP
T39S. R9E. SEC 8
KLAMATH COUNTY, OREGON

DRAWING INFO

C000178.00
C000178.00-EXHIBITS
1" = 50'

SHEET INFO

DRAWN	AS
CHECKED	TF
LAST EDIT	12/13/2021
PLOT DATE	12/13/2021

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