

2022-006869

Klamath County, Oregon

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



00301116202200068690050056

06/01/2022 11:35:48 AM

Fee: \$102.00

RW20210513

RIGHT OF WAY EASEMENT

For value received, **Richard Gerhart and Linda Gerhart, as tenants by the entirety** ("Grantor"), hereby grant to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a perpetual easement for a right of way varying in width and containing 91,626 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 parcel of land situated in Sections 17 and 18, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Commencing at the intersection of the Northerly right-of-way line of Joe Wright Road, a county road, with the Easterly right-of-way line of the Dalles-California Highway U.S. No. 97 in the NE1/4 NE1/4 of Section 19, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence North 03°38'00" East along the Easterly right-of-way line of said Dalles-California Highway 1220.68 feet to a 5/8 inch iron pin; thence continuing on said right-of-way line along the arc of a curve to the left, the chord of which being North 01°26'49" East 538.97 feet to a 5/8 inch iron pin; thence continuing on said right-of-way line along the arc of a curve to the left, the chord of which being North 04°10'15" West 108.07 feet to a 5/8 inch iron pin marking the True Point of Beginning for this description; thence along said highway right-of-way line and the arc of a spiral curve and simple curve to the left (delta = 13°40'; D = 2°; 400 foot spiral; s = 4°00'; a = 0.5; long chord = North 12°15'20" West 966.76 feet) to the end of curve; thence North 18°02'00" West 112.22 feet; thence leaving said highway right-of-way line and generally parallel to but approximately 100 feet Southerly of the low water line of the Klamath River the following courses and distances: North 32°12'35" East 124.47 feet; North 09°59'25" East 170.76 feet; North 21°09'12" East 379.56 feet; North 29°49'47" East 270.67 feet; North 52°06'05" East 166.04 feet; North 65°48'36" East 206.66 feet; South 88°18'30" East 203.96 feet; North 77°21'02" East 249.52 feet; North 71°32'21" East 386.45 feet; North 56°03'28" East 151.34 feet to the Westerly right-of-way line of the Lost River Diversion Canal;

thence South 00°32'20" East 210.86 feet to a 5/8 inch iron pin; thence South 08°58'34" East 390.22 feet to a 5/8 inch iron pin; thence South 81°53'08" West 126.58 feet to a 5/8 inch iron pin; thence South 02°37'35" West 120.85 feet to a 5/8 inch iron pin; thence South 82°54'16" West 696.36 feet to a 5/8 inch iron pin on the Easterly right-of-way of the Dalles-California Highway which is the True Point of Beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by instrument recorded in Volume M92, page 5965, Microfilm Records of Klamath County, Oregon

Assessor's Map No. 39S09E17 TL 1500

Parcel No. R581695

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 April, 2022

[SIGNATURES ON THE FOLLOWING PAGE]

Richard Gerhart
Richard Gerhart GRANTOR

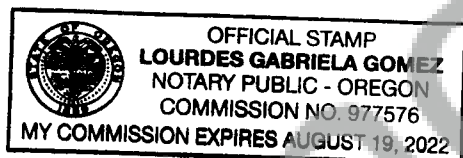
Linda Gerhart
Linda Gerhart GRANTOR

INDIVIDUAL ACKNOWLEDGEMENT

State of Oregon
County of Klamath } SS.

This instrument was acknowledged before me on this 29th day of April, 2022,

by Richard Gerhart and Linda Gerhart
Name(s) of individual(s) signing document



[Signature]
Notary Public
My commission expires: August 19, 2022

EXHIBIT "A"

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

ASSESSORS MAP: 39S09E17
TAX LOT NO.: 01500

PARCEL 1 (OVERHEAD POWERLINE EASEMENT)

A PARCEL OF LAND LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 39 SOUTH, RANGE 9 EAST, WILLAMETTE MERIDIAN, COUNTY OF KLAMATH, STATE OF OREGON, BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO RICHARD GERHART AND LINDA GERHART, PER THAT CERTAIN DOCUMENT NO. 2012-005410, RECORDED MAY 18, 2012, IN THE KLAMATH COUNTY RECORDS, SAID PARCEL BEING 125.00 FEET IN WIDTH, 62.50 FEET EACH SIDE OF THE CENTERLINE DELINEATED BY FOLLOWING THE BELOW NOTED BEARINGS AND DISTANCES.

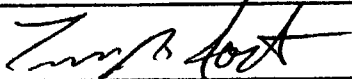
BEGINNING AT PACIFICORP POWER POLE NUMBER 7/3, BEING SOUTH 62°21'48" WEST A DISTANCE OF 4416.43 FEET FROM THE WEST SECTION CORNER OF SECTION 17; THENCE NORTH 37°29'59" WEST A DISTANCE OF 1088.52 FEET TO PACIFICORP POWER POLE NUMBER 6/3, SAID POWER POLE BEARS SOUTH 75°28'43" WEST A DISTANCE OF 4726.17 FEET FROM THE WEST SECTION CORNER OF SECTION 17; THENCE NORTH 64°16'09" WEST A DISTANCE OF 1073.54 FEET TO POWER POLE NUMBER 5/3, SAID POWER POLE BEARS SOUTH 4°38'02" EAST A DISTANCE OF 3151.79 FEET FROM THE NORTHWEST SECTION CORNER OF SECTION 17; THENCE NORTH 64°16'09" WEST A DISTANCE OF 1251.59 FEET TO PACIFIC POWER POLE 4/3, SAID POWER POLE BEARS SOUTH 28°00'41" WEST A DISTANCE OF 2942.87 FEET FROM NORTHWEST SECTION CORNER OF SECTION 17, 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 91626 SQUARE FEET MORE OR LESS.

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

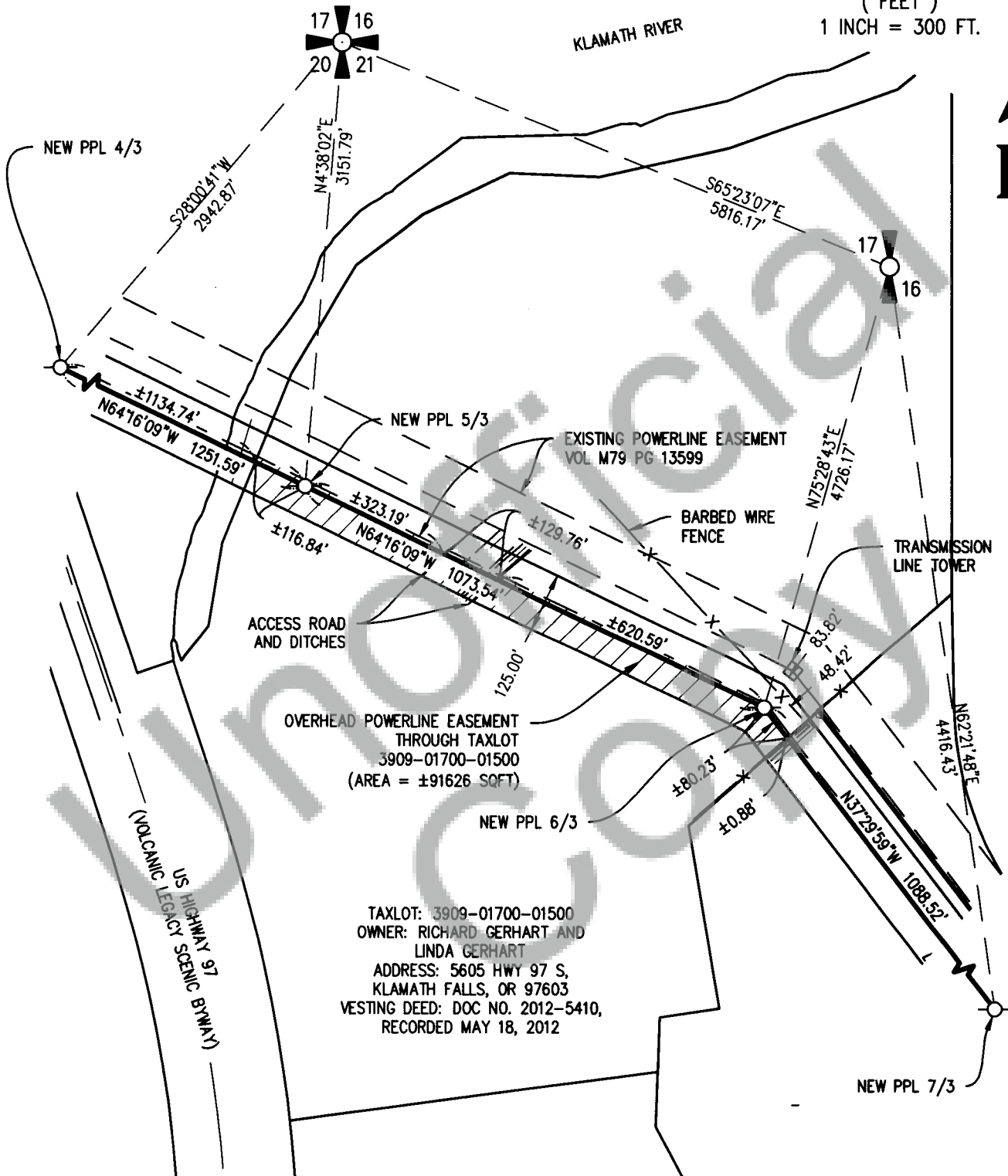
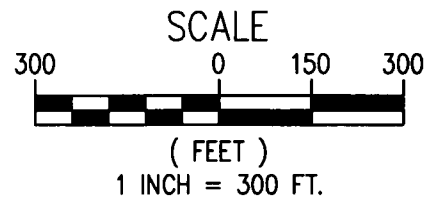
REGISTERED
PROFESSIONAL
LAND SURVEYOR




OREGON
JULY 09, 2002
TRAVIS P. FOSTER
54624

EXPIRATION DATE: 12/31/21

EXHIBIT "B"



SHEET NUMBER 1 OF 1	EXHIBIT "B" PACIFICORP T39S. R9E. SEC 20 KLAMATH COUNTY, OREGON	DRAWING INFO		SHEET INFO		 an NVS Company 9450 SW Commercial Circle, Suite 300 Vancouver, OR 97075 503-626-0455 Fax 503-626-0775 www.NVS.com
		C000178.00		DRAWN	AS	
		C000178.00-EXHIBITS		CHECKED	KB	
		1" = 300'		LAST EDIT	10/20/2021	
				PLOT DATE	10/20/2021	