

2022-006873

Klamath County, Oregon



00301120202200068730050052

06/01/2022 11:47:19 AM

Fee: \$102.00

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, *Linkville Land Holdings, LLC*, an Oregon limited liability company ("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 13,670 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:

Beginning at a point in Section 8, Township 39 South, Range 9 East of the Willamette Meridian, which is on the boundary lines between the Klamath Memorial Park and the Great Northern Railroad right-of-way, which point of beginning is South 20°37' West of the Southeast corner of the SW 1/4 of the SE 1/4 of Section 5, Township 39 South, Range 9 East of the Willamette Meridian, a distance of 1854 feet, more or less; thence continuing along said boundary line, South 20°37' West, a distance of 477.48 feet; thence South 28°7' West, 254.45 feet; thence South 89°22' West, 336.67 feet to the Easterly right-of-way line of the county road sometimes called Cumberland Road and sometimes called the Kesterson Road; thence Northwesterly along the Easterly boundary line of said road and along the arc of a curve to the left, the long chord of which bears North 10°11 1/2' West, 461.87 feet; thence North 44°3' East, 298.74 feet; thence North 89°22' East, 498.62 feet to the point of beginning, being a portion of Section 8, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon

Excepting therefrom all that portion conveyed to Klamath County, a political subdivision of the State of Oregon, by Warranty Deed recorded October 17, 1985 as Instrument No. M85, page 16869.

Assessor's Map No. 39S09E8 TL 400

Parcel No. R539073

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.

Grantee shall indemnify, protect, and hold harmless Grantor and its employees and agents (hereinafter collectively "Grantor Indemnified Parties") against and from any and all claims, demands, suits, losses, cost and damages of every kind and description, including attorney's fees and/or litigation expenses, brought or made against or incurred by the Grantor Indemnified Parties resulting from, arising out of, or in any way connected with any act, omission, fault or negligence of Grantee, its employees, agents, representatives or contractors, their employees, agents or representatives use under this Easement except to the extent that such claim, demand, loss, cause of action, or cost arises from Grantor's negligence or willful misconduct.

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 15th day of April, 2022.

[SIGNATURES ON THE FOLLOWING PAGE]

GRANTOR

Linkville Land Holdings, LLC, an Oregon limited liability company

By: [Signature]

Print: Nicholas Ian Bair

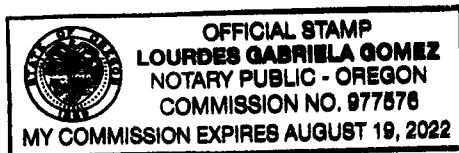
Its: CEO/COO

Date: April 15th 2022

REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } ss.

This instrument was acknowledged before me on this 15 day of April, 2022
by Nicholas Ian Bair, as CEO/COO,
Name of Representative Title of Representative
of Linkville Land Holdings LLC
Name of Entity on behalf of whom this instrument was executed



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

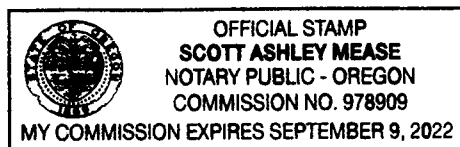
GRANTEE

PACIFICORP, an Oregon corporation

[Signature]
Deanna Adams
Director, Real Estate Management
Dated 5/12/2022

STATE OF OREGON)
)ss
COUNTY OF MULTNOMAH)

This instrument was acknowledged before me on this 12TH day of MAY, 2022
by Deanna Adams, Director, Real Estate Management, of PacificCorp, an Oregon corporation.



[Signature]
Notary Public
My commission expires: SEPTEMBER 9, 2022

EXHIBIT "A"

KLAMATH TO SNOW GOOSE T-LINE
JANUARY 18, 2022
PARCEL 1

ASSESSORS MAP: 39S09E8
TAX LOT NO.: 00400

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 LINKVILLE LAND HOLDINGS, LLC, AN OREGON LIMITED LIABILITY COMPANY, PER THAT CERTAIN DOCUMENT NO. 2017-009564, RECORDED AUGUST 24, 2017, 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 POWER POLE NUMBER 7/1, SAID POWER POLE BEARS SOUTH 43°42'18" WEST A DISTANCE OF 4115.76 FEET TO THE NORTHWEST SECTION CORNER OF SECTION 17; THENCE NORTH 46°39'17" EAST A DISTANCE OF 296.43 FEET TO POWER POLE 6/1, SAID POWER POLE BEARS SOUTH 43°54'11" WEST A DISTANCE OF 4411.82 FEET FROM THE NORTHWEST SECTION CORNER OF SECTION 17; THENCE NORTH 19°46'36" EAST A DISTANCE OF 377.11 FEET TO POWER POLE 5/1, SAID POWER POLE BEARS NORTH 61°46'52" EAST A DISTANCE OF 3776.85 FEET FROM THE NORTHWEST CORNER OF SECTION 8; THENCE NORTH 71°12'59" EAST A DISTANCE OF 282.26 FEET TO POWER POLE 4/1, SAID POWER POLE BEARS SOUTH 66°02'15" WEST A DISTANCE OF 3733.28 FEET TO THE NORTHWEST 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 AND OREGON HIGHWAY NUMBER 140 (SOUTHSIDE BYPASS).

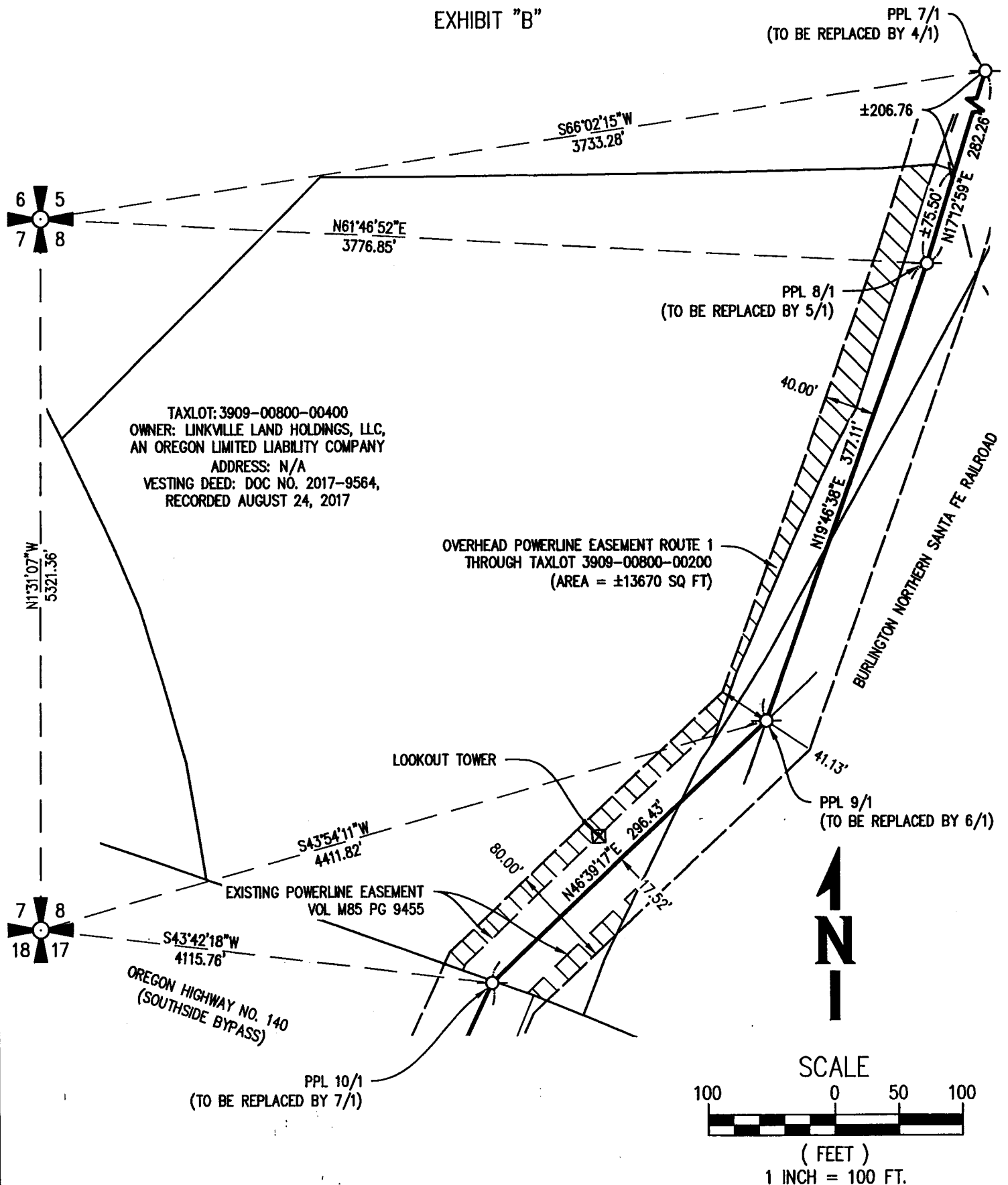
THE PARCEL OF LAND TO WHICH THIS DESCRIPTION APPLIES CONTAINS 13670 SQUARE FEET MORE OR LESS.

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 8
KLAMATH COUNTY, OREGON

DRAWING INFO

C000178.00
 C000178.00-EXHIBITS
 1" = 100'

SHEET INFO

DRAWN AS
 CHECKED
 LAST EDIT 1/6/2022
 PLOT DATE 1/17/2022

WHPacific

an MVS Company
 9450 SW Commerce Circle, Suite 300
 Vancouver, OR 97078
 503-536-0455 Fax 503-536-0775
 www.MVS.com