



00302053202200076950060064

06/22/2022 09:50:04 AM

Fee: \$107.00

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, Timothy D. Higuera, Sr. ("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 46,848 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 Section 20, Township 39 South, Range 9 East, Willamette Meridian in Klamath County, Oregon, more particularly described as follows:

Starting at an iron pin at the intersection of the Northerly right-of-way line of Joe Wright Road with the Easterly right-of-way line of the Dalles-California Highway 97 in the NE1/4 NE1/4 of Section 19, Township 39 South, Range 9 East, Willamette Meridian; thence South 63°09'52" East along the Northerly right-of-way line of Joe Wright Road a distance of 496.60 feet to a point; thence North 89°28'26" East along the Northerly right-of-way line of Joe Wright Road a distance of 888.95 feet to the TRUE POINT OF BEGINNING; thence North 22°16'04" East a distance of 1,553.93 feet to a point; thence North 89°49'40" East a distance of 535.05 feet to a point; thence South 86°00'58" East a distance of 68.85 feet to a point in the Northwestern right-of-way line of the Southern Pacific Railroad; thence South 33°37'54" West a distance of 653.08 feet to a point; thence South 56°22'06" East a distance of 50.0 feet to a point; thence South 33°37'54" West a distance of 1,033.68 feet to a point on the Northerly right-of-way line of Joe Wright Road; thence South 89°28'26" West a distance of 300.00 feet to the true point of beginning.

Assessor's Map No. 39S09E20 TL 500

Parcel No. R580909

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 26th day of may, 2022



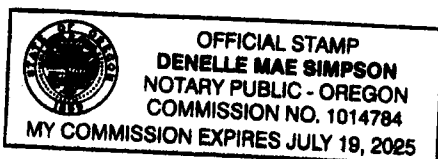
Timothy D. Higuera, Sr. GRANTOR

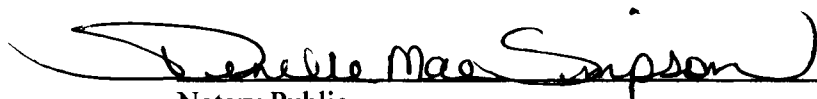
INDIVIDUAL ACKNOWLEDGEMENT

State of Oregon
County of Klamath } SS.

This instrument was acknowledged before me on this 26 day of may, 2022

by Timothy D. Higuera, Sr.
Name(s) of individual(s) signing document





Notary Public

My commission expires: July 19, 2025

EXHIBIT "A"

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

ASSESSORS MAP: 39S09E20
TAX LOT NO.: 00500

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 D TIMOTHY HIGURA SR & DONNA S HIGURA, PER THAT CERTAIN DOCUMENT NO. 2003-028313, RECORDED APRIL 30, 2003, 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 6/4, SAID POWER POLE BEARS SOUTH 73°19'16" EAST A DISTANCE OF 4328.81 FEET TO THE EAST CORNER OF SECTION 20; THENCE NORTH 33°01'30" EAST A DISTANCE OF 306.43 FEET TO POWER POLE 5/4, SAID POWER POLE BEARS NORTH 69°21'23" EAST A DISTANCE OF 4252.75 FEET FROM THE EAST CORNER OF SECTION 20; THENCE NORTH 32°57'52" EAST A DISTANCE OF 331.85 FEET TO POWER POLE 4/4, SAID POWER POLE BEARS NORTH 64°55'24" WEST A DISTANCE OF 4194.48 FEET FROM THE EAST CORNER OF SECTION 20; THENCE NORTH 30°53'13" EAST A DISTANCE OF 324.59 FEET TO POWER POLE 3/4, SAID POWER POLE BEARS SOUTH 78°35'48" WEST A DISTANCE OF 3672.19 FEET TO THE NORTHEAST CORNER OF SECTION 20; THENCE NORTH 31°06'17" EAST A DISTANCE OF 315.77 FEET TO POWER POLE 2/4, SAID POWER POLE BEARS SOUTH 82°26'48" WEST A DISTANCE OF 3466.65 FEET FROM THE NORTHEAST CORNER OF SECTION 20; THENCE NORTH 32°44'12" EAST A DISTANCE OF 252.39 FEET TO POWER POLE 1/4, SAID POWER POLE BEARS SOUTH 85°46'56" WEST A DISTANCE OF 3309.04 FEET FROM THE NORTHEAST 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 36890 SQUARE FEET MORE OR LESS.

PARCEL 2 (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 D TIMOTHY HIGURA SR & DONNA S HIGURA, PER THAT CERTAIN DOCUMENT NO. 2003-028313, RECORDED APRIL 30, 2003, 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.

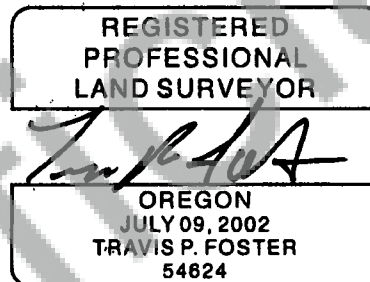
BEGINNING AT PACIFICORP POWER POLE 1/4, SAID POWER POLE BEARS SOUTH 85°46'56" WEST A DISTANCE OF 3309.04 FEET FROM THE NORTHEAST CORNER OF SECTION 20; THENCE NORTH 37°29'59" WEST A DISTANCE OF 1056.43 FEET TO POWER POLE 7/3, SAID POWER POLE BEARS NORTH 81°25'22" WEST A DISTANCE OF 3987.79 FEET TO THE NORTHEAST 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 9958 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

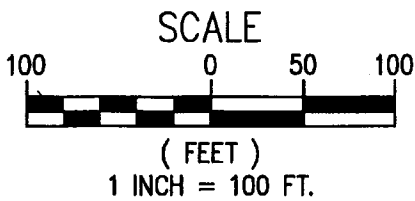
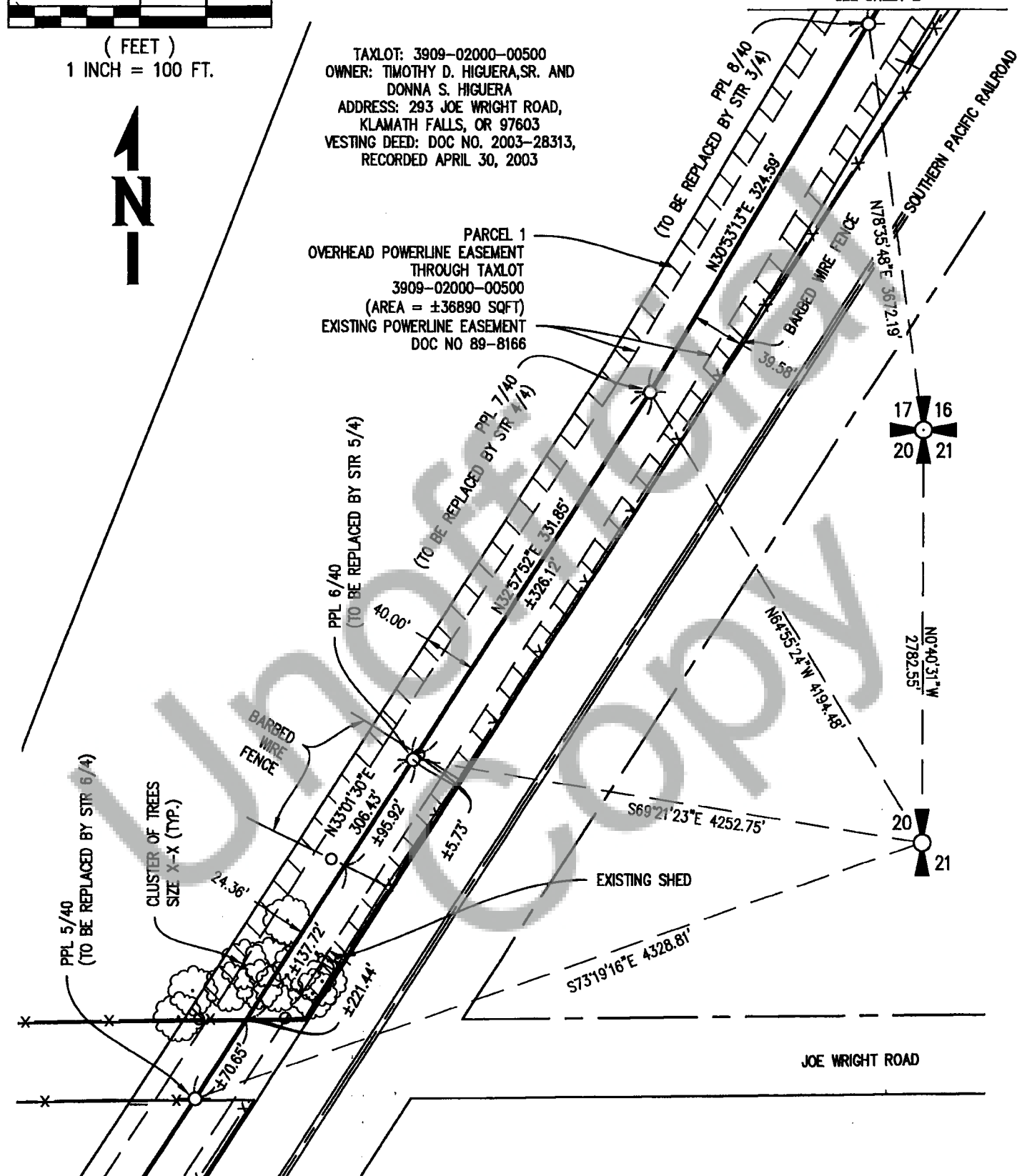


EXHIBIT "B"

TAXLOT: 3909-02000-00500
OWNER: TIMOTHY D. HIGUERA, SR. AND
DONNA S. HIGUERA
ADDRESS: 293 JOE WRIGHT ROAD,
KLAMATH FALLS, OR 97603
VESTING DEED: DOC NO. 2003-28313,
RECORDED APRIL 30, 2003

PARCEL 1
OVERHEAD POWERLINE EASEMENT
THROUGH TAXLOT
3909-02000-00500
(AREA = ±36890 SQFT)
EXISTING POWERLINE EASEMENT
DOC NO 89-8166

SEE SHEET 2



SHEET NUMBER

1 OF 2

EXHIBIT "B"
PACIFICORP
T39S. R9E. SEC 20
KLAMATH COUNTY, OREGON

DRAWING INFO

C000178.00

C000178.00-EXHIBITS

1" = 100'

SHEET INFO

DRAWN AS

CHECKED

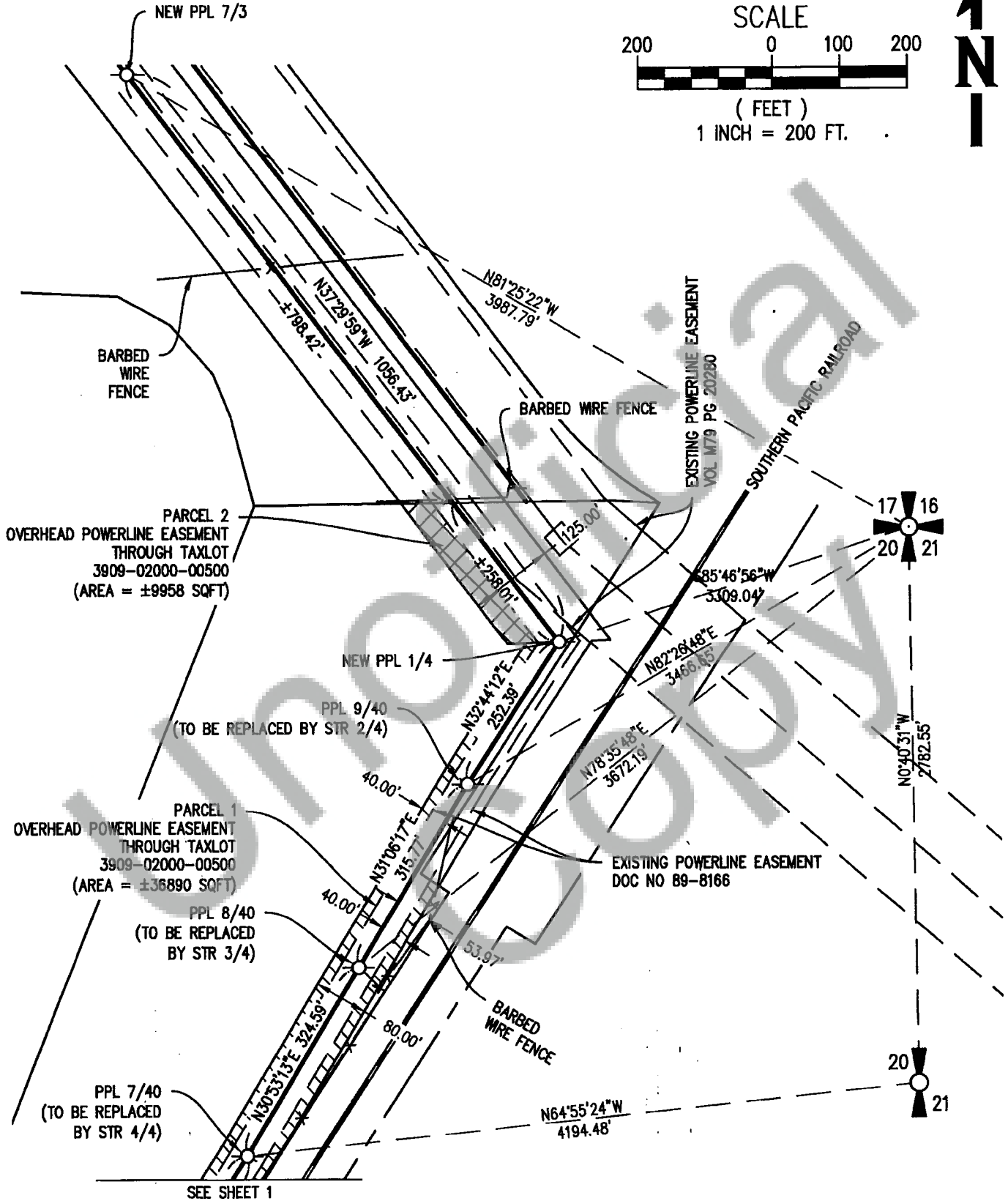
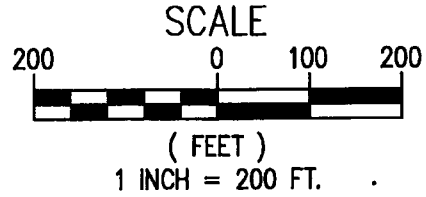
LAST EDIT 1/8/2022

PLOT DATE 1/7/2022

WHPacific

an NVS Company
2425 NW Commercial Circle, Suite 300
Vancouver, OR 97070
503.434.4455 Fax 503.434.4775
www.1711.com

EXHIBIT "B"



SHEET NUMBER

2 OF 2

EXHIBIT "B"
PACIFICORP
T39S. R9E. SEC 20
KLAMATH COUNTY, OREGON

DRAWING INFO

C000178.00

C000178.00-EXHIBITS

1" = 100'

SHEET INFO

DRAWN AS

CHECKED

LAST EDIT 1/8/2022

PLOT DATE 1/7/2022

WHPacific

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Wilsonville, OR 97150
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