

**2022-008440**

**Klamath County, Oregon**

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



07/11/2022 03:43:46 PM

Fee: \$97.00

RW20210513

**RIGHT OF WAY EASEMENT**

For value received, **JBC Real Estate 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 1,793 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 2 of Land Partition 42-93 situated in the South 1/2 and the Southwest 1/4 of Section 8, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Assessor's Map No. 39S09E8 TL 501

Parcel No. R877808

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. Structures within the easement area can be no taller than twelve (12) feet above the existing grade and must not obstruct Grantee's access to its facilities.

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. Grantee's approval of uses within the easement area will not be unreasonably withheld.

**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 10th day of May, 2022.

#### GRANTOR

**JBC Real Estate LLC, an Oregon limited liability company**

By: [Signature]

Print: JOHN N BOWERS

Its: MANAGING MEMBER

Date: 5/10/22

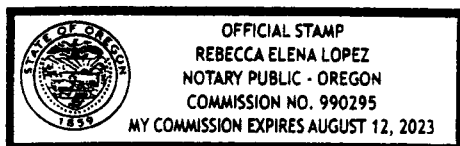
#### REPRESENTATIVE ACKNOWLEDGEMENT

State of Oregon }  
County of Klamath } SS.

This instrument was acknowledged before me on this 10 day of May, 2022

by John Bowers, as managing member,  
Name of Representative Title of Representative

of JBC Real Estate LLC.  
Name of Entity on behalf of whom this instrument was executed



[Signature]  
Notary Public

My commission expires: August 12, 2023

## EXHIBIT "A"

KLAMATH TO SNOW GOOSE T-LINE  
JANUARY 25, 2022  
PARCEL 1

ASSESSORS MAP: 39S09E8  
TAX LOT NO.: 00501

### PARCEL 1 (OVERHEAD POWERLINE EASEMENT)

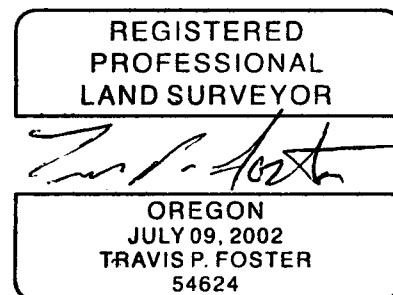
A PARCEL OF LAND LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 8, TOWNSHIP 39 SOUTH, RANGE 9 EAST, WILLAMETTE MERIDIAN, COUNTY OF KLAMATH, STATE OF OREGON, BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO JBC REAL ESTATE LLC, PER THAT CERTAIN DOCUMENT NO. 2021-015816, RECORDED OCTOBER 20, 2021, IN THE 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 10/1, SAID POWER POLE BEARS SOUTH 49°09'03" WEST A DISTANCE OF 3486.48 FEET TO THE NORTHWEST SECTION CORNER OF SECTION 17; THENCE NORTH 25°07'38" EAST A DISTANCE OF 263.55 FEET TO POWER POLE 9/1, SAID POWER POLE BEARS SOUTH 47°30'07" WEST A DISTANCE OF 3728.75 FEET FROM THE NORTHWEST SECTION CORNER OF SECTION 17; THENCE NORTH 0°22'59" EAST A DISTANCE OF 253.75 FEET TO POWER POLE 8/1, SAID POWER POLE BEARS SOUTH 48°37'54" EAST A DISTANCE OF 3853.45 FEET FROM 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).

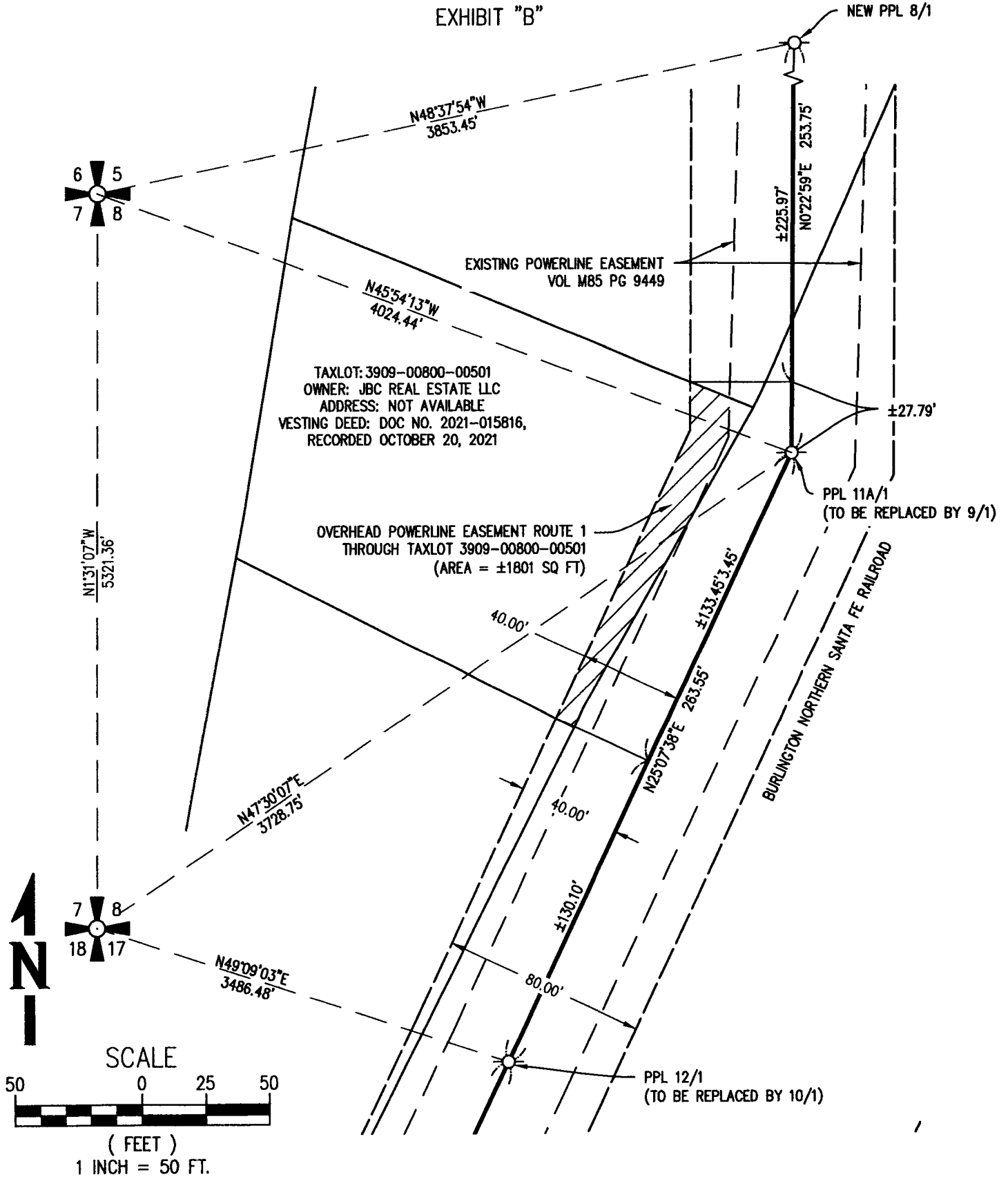
THE PARCEL OF LAND TO WHICH THIS DESCRIPTION APPLIES CONTAINS 1801 SQUARE FEET MORE OR LESS.

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" = 50'

SHEET INFO

DRAWN AS

CHECKED TF

LAST EDIT 1/25/2022

PLOT DATE 1/25/2022

**WHPacific**

an NYS Company  
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