

2023-001669

Klamath County, Oregon



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03/10/2023 03:48:39 PM

Fee: \$92.00

Return to: Pacific Power  
1950 Mallard Lane  
Klamath Falls, OR 97601

Returned at Counter

CC#: 11176 WO#: 8252700

**RIGHT OF WAY EASEMENT**

For value received, *Lane Colvin Enterprises, 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 **10'** feet in width and **500'** feet in length, 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* attached hereto and by this reference made a part hereof:

A portion of:

**PARCEL 1:**

The E1/2 SW1/4; NW1/4 SE1/4 of Section 26, Township 34 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon.

Assessor's Map No. 3406-02600-00801

Parcel No. 1

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 14<sup>th</sup> day of December, 2022

  
\_\_\_\_\_  
**Lane Colvin**

**GRANTOR**


**REPRESENTATIVE ACKNOWLEDGEMENT**

State of Oregon }  
County of Josephine } SS.

This instrument was acknowledged before me on this 14<sup>th</sup> day of December, 2022

by Lane Colvin, as President,  
Name of Representative Title of Representative

of Lane Colvin Enterprises LLC.  
Name of Entity on behalf of whom this instrument was executed

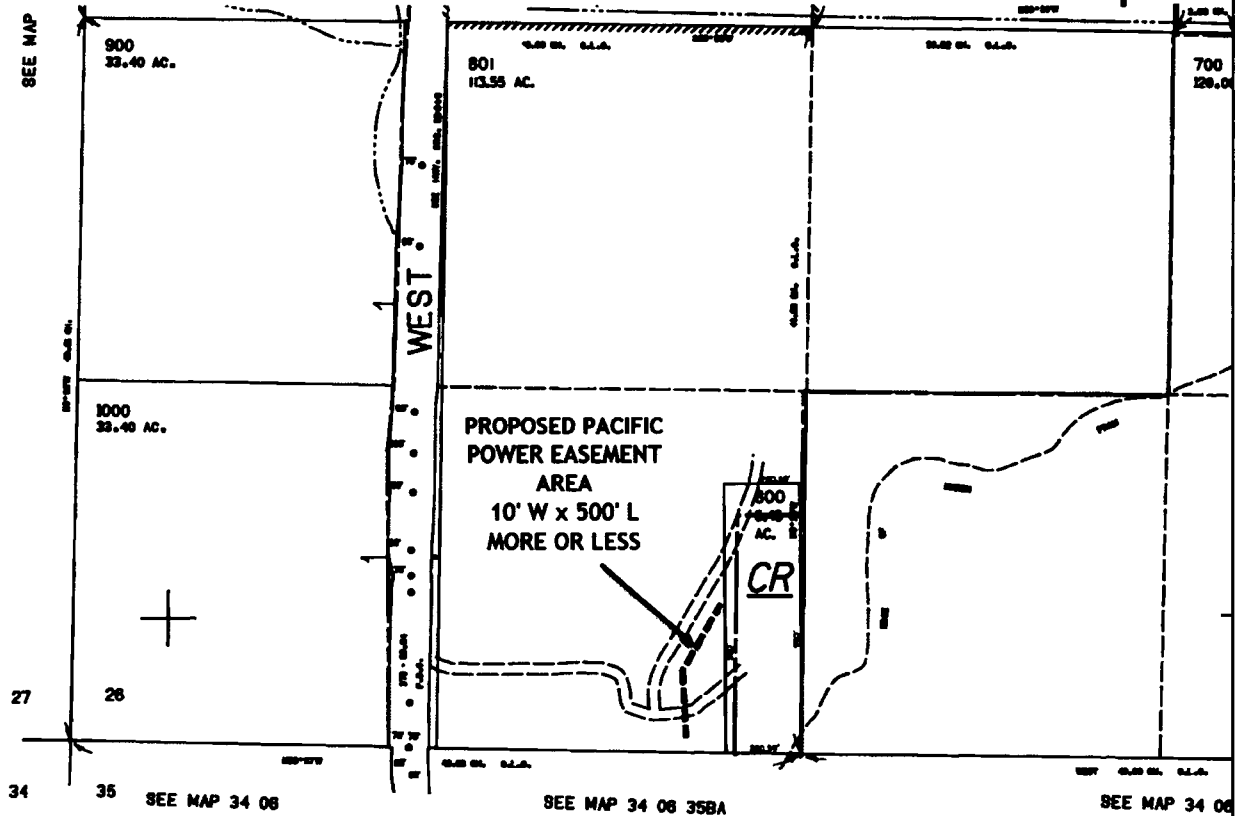
  
\_\_\_\_\_  
Notary Public  
My commission expires: 4/28/23



### PROPERTY DESCRIPTION

In the E1/2 SW1/4 NW1/4 SE1/4 of Section 26, Township 34 S, Range 06 E  
of the Willamette Meridian, Klamath County, State of Oregon.

Map / Tax Lot or Assessor's Parcel No.: 3406-02600-00801



CC#: 11176 WO#: 8252700 ROW#:

Landowner: Lane Colvin Enterprises LLC

Drawn by: J. Atkinson

## EXHIBIT A

This drawing should be used only as a representation of the location of the easement area. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

**PACIFIC POWER**  
A DIVISION OF PACIFICORP