

Returned at Counter

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

2023-005865

Klamath County, Oregon



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07/14/2023 03:38:28 PM

Fee: \$97.00

CC#: 11176 WO#: 8030956

**UNDERGROUND RIGHT OF WAY EASEMENT**

For value received, *Jerry Alton Baird, II and Cherisse Baird, husband and wife as tenants by the entirety* ("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 *180* feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of Grantee's underground electric distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, cabinets, vaults on, across, or under the surface of the real property of Grantor in *Klamath* County, State of *Oregon*, as 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 One of Land Partition 2-02, said Partition being a partition of Parcel 3 of Land Partition 39-01, situated in Section 33, Township 37 South, Range 9 East of the Willamette meridian, and in Sections 3 and 4, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, Oregon, EXCEPTING THEREFROM that portion thereof lying within the boundaries of Old Fort Road.

Assessor's Map No.: *37 S 09 E 33*

Parcel No.: *3809-03300-01700*

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 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 conduct or permit any ground penetrating activity or excavation in the right of way without the express written consent of the Grantee. Subject to the foregoing limitations, the right of way may be used for other purposes not inconsistent, as determined 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

Rev. 9/26/2018

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 11th day of July, 2023.

J. Alton Baird II

Jerry Alton Baird, II

GRANTOR

Cherisse Baird

Cherisse Baird

GRANTOR

**INDIVIDUAL ACKNOWLEDGEMENT**

State of Nevada

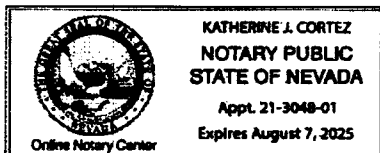
County of Clark

} SS.

This instrument was acknowledged before me on this 11th day of July, 2023.

by Jerry Alton Baird II, Grantor and Cherisse Baird, Grantor

Name(s) of individual(s) signing document



Katherine J. Cortez  
Notary Public

My commission expires: 08/07/2025

Notarial Act performed by Audio-Video Communication



### How To Verify This Transaction

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To get started, visit <https://www.onlinenotarycenter.com/verify> and enter this information:

Notary Id: 56b13d76-2041-11ee-adde-2ca82a232fca

Pass Code: tMRh15