

After Recording Return to:

PacifiCorp
Real Estate Management
Attn: Transaction Services
825 NE Multnomah St., LCT 1700
Portland, OR 97232

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **Oregon Institute of Technology, an Oregon public university** ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns ("Grantee"), a perpetual easement for a right of way as described and shown on Exhibit A, 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, which may be refined by survey later, attached hereto and by this reference made a part hereof:

A portion of: tax lot 3809-00000-04900

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.

Any dispute, claim or controversy arising out of or relating to this Easement or the breach, termination, enforcement, interpretation or validity thereof, including the determination of the scope or applicability of this agreement to arbitrate, shall be determined by arbitration in Eugene, Oregon before one arbitrator(s). The arbitration shall be administered by JAMS, or if JAMS is not available another arbitration firm serving multi-state clients, pursuant to its Comprehensive Arbitration Rules and Procedures, or equivalent, and in accordance with the Streamlined Procedures in those Rules, or equivalent. Judgment on the Award (or interim measure such as injunction) may be entered in any court having jurisdiction. The parties agree that this

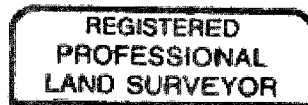
First American Title Insurance Company Accommodation Recording only;
document not reviewed and no insurance provided NCS-NWA2308X-OR1

Exhibit A
(Page 1 of 2)

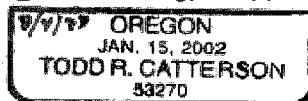
LEGAL DESCRIPTION FOR A NON EXCLUSIVE EASEMENT ACROSS A TRACT
OF LAND LOCATED IN THE SE1/4 OF SECTION 17, T.38S., R.9E., W.M.,
KLAMATH COUNTY, OREGON
W.O. 21-5638

LEGAL DESCRIPTION

A centerline legal description for a ten (10) feet wide, five (5) feet on each side of centerline, non exclusive underground right of way easement across a tract of land located in Section 17, Township 38 South, Range 9 East, W.M., Klamath County, Oregon, more particularly described as follows: Beginning at the Northwest corner of the Oregon Institute of Technology property as shown on County Survey 708, Records of Klamath County, Oregon, thence South 00°49'37" East a distance of 39.44 feet to the True Point of Beginning of this centerline description; thence North 88°26'09" East a distance of 1224.95 feet to the termination point of this centerline description.

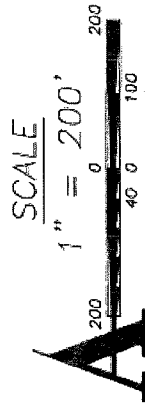
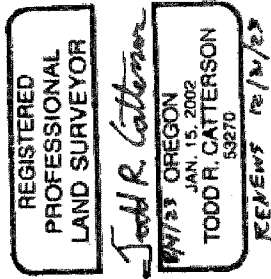


Todd R. Catterson



RENEW 12/31/23

EXHIBIT MAP FOR A NON EXCLUSIVE UNDERGROUND
RIGHT OF WAY EASEMENT ACROSS A TRACT OF LAND
LOCATED IN SECTION 17, T.38S., R.9E., W.M.,
KLAMATH COUNTY, OREGON
W.O. 21-5638



JULY 20, 2023

