

2023-007946

Klamath County, Oregon



00319806202300079460070071

09/11/2023 01:03:23 PM

Fee: \$112.00

Return to: **Pacific Power**
Attn: Right of Way Department
825 NE Multnomah St., Suite 1700
Portland, OR 97232

RW20230188
WO#: 10074734

RIGHT OF WAY EASEMENT

For value received, **David L. Brown and Susanna A. Brown and John D. Culver**, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns ("Grantee"), a perpetual easement for a right of way **100** feet in width and **1,114** 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 **Exhibits "A" and "B"** attached hereto and by this reference made a part hereof:

A portion of:

PARCEL 1 OF LAND PARTITION 40-03 BEING A REPLAT OF PARCEL 2 OF MINOR LAND PARTITION 11-90 AND SITUATED IN THE W 1/2 OF SECTION 2 AND THE NE 1/4 OF SECTION 3, TOWNSHIP 40 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

LESS AND EXCEPT THE FOLLOWING PORTION:

BEGINNING AT THE QUARTER CORNER BETWEEN SECTIONS 3 AND 2, THENCE NORTH 00° 21' WEST 200 FEET, THENCE NORTH 89° 47' 04" EAST 662.00 FEET, THENCE SOUTH 00° 16' 58" EAST 400 FEET, THENCE SOUTH 89° 47' 04" WEST 662.00, THENCE NORTH 200 FEET TO THE POINT OF BEGINNING.
PER PROPERTY UNE ADJUSTMENT 10-07.

Assessor's Map No.: **40S 12E 400** Parcel No.: **4012-00000-00400**

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.

Grantee shall at all times have the right to trim, cut, remove, control, and keep clear by machinery or otherwise, all trees, limbs, brush, undergrowth and other obstructions inside and outside the Easement Area that may endanger the safe and proper construction, inspection, maintenance, removal, replacement and operation of its Facilities. All trees cut by Grantee at any time will be limbed and stacked and shall remain the property of Grantor.

Grantee shall repair to Grantor's reasonable satisfaction damage to roads, fences, structures, or other improvements in the process of the construction, inspection, or maintenance of Grantee's Facilities, or in the exercise of its right of ingress and egress; provided Grantor gives written notice thereof to Grantee within sixty (60) days after such damage occurs. 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.

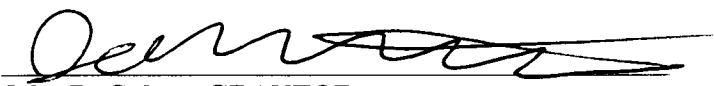
Dated this 25th day of August, 2023.



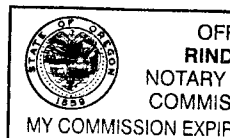
David L. Brown, GRANTOR



Susanna A. Brown, GRANTOR



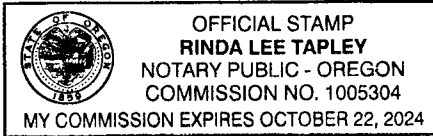
John D. Culver, GRANTOR



INDIVIDUAL ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } SS.

This instrument was acknowledged before me on this 25th day of Aug, 2023, by **David L. Brown.**

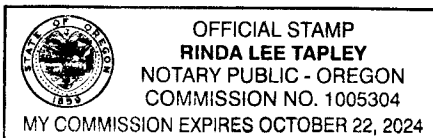


Rinda Lee Tapley
Notary Public
My commission expires: 10-22-24

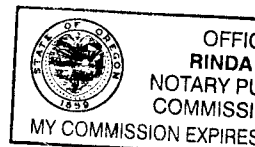
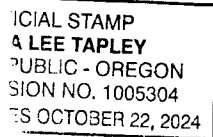
INDIVIDUAL ACKNOWLEDGEMENT

State of Oregon }
County of Klamath } SS.

This instrument was acknowledged before me on this 25th day of Aug, 2023,
by **Susanna A. Brown.**



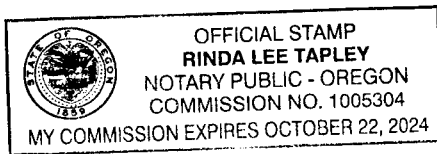
Rinda Lee Tapley
Notary Public
My commission expires: 10-22-24



INDIVIDUAL ACKNOWLEDGEMENT

State of Oregon
County of Clatsop } SS.

This instrument was acknowledged before me on this 25th day of Aug, 2023,
by **John D. Culver**.



Rinda Lee Tapley
Notary Public
My commission expires: 10-22-24

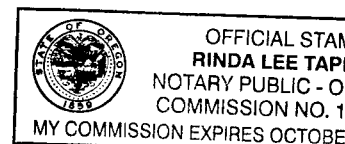
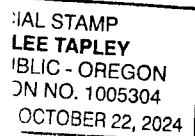
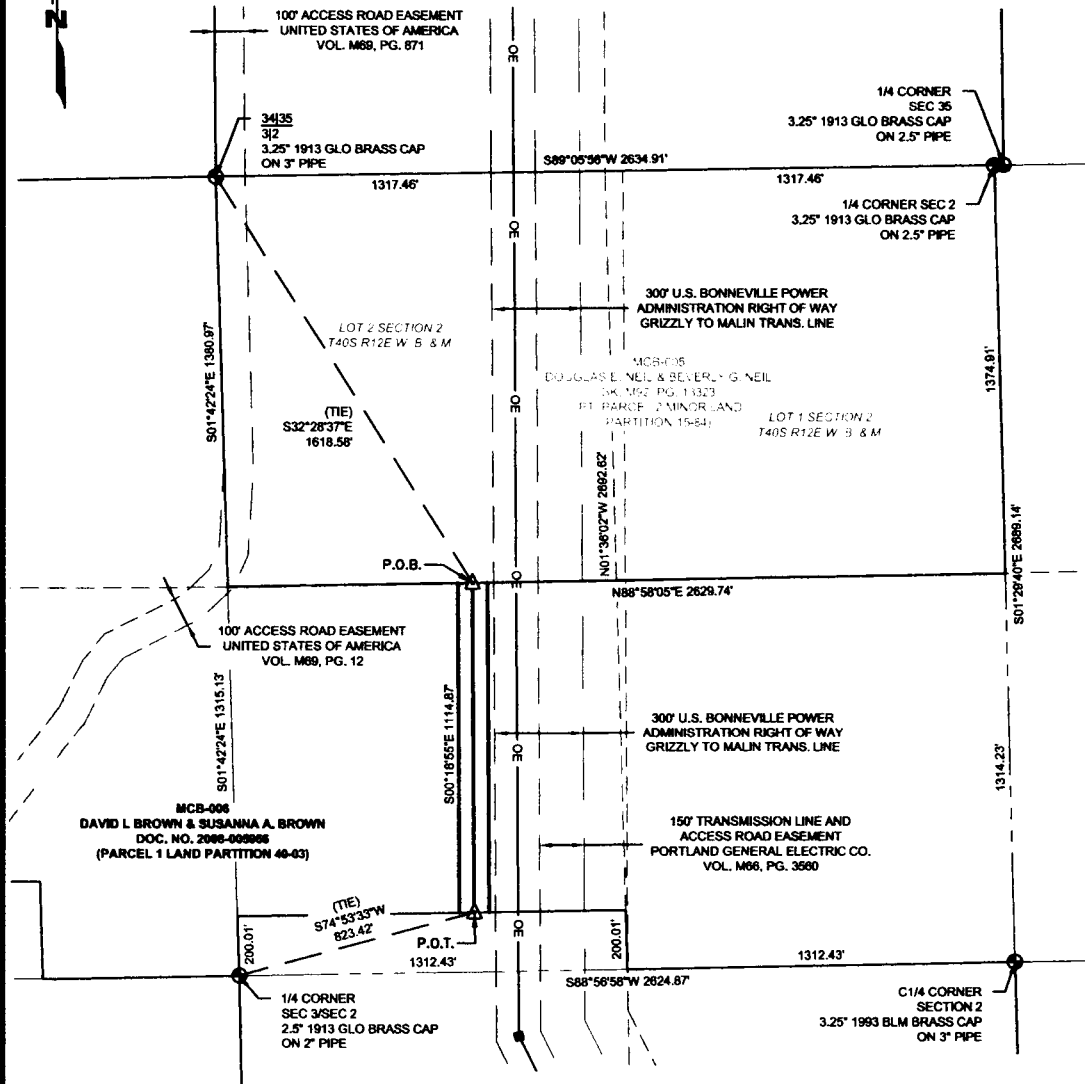


EXHIBIT A

DAVID L. BROWN & SUSANNA A. BROWN
DOC. NO. 2008-005986
LOCATED IN THE NORTHWEST ONE-QUARTER OF
SECTION 2, T. 40 S., R. 12 E.,
W. B. & M., KLAMATH COUNTY, OREGON



DAVID L. BROWN & SUSANNA A. BROWN
EASEMENTS

TOTAL PERMANENT EASEMENT	2.559 AC. / 1114.87 FT. OR 67.57 RODS
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LEGEND

	CENTERLINE
	SECTION LINE
	QUARTER SECTION LINE
	QUARTER QUARTER SECTION LINE
	PARCEL BOUNDARY
	FENCE LINE
	EXISTING OVERHEAD POWER
	TIE
	P.O.C. POINT OF COMMENCEMENT
	P.O.B. POINT OF BEGINNING
	P.O.T. POINT OF TERMINUS
	FOUND SECTION CORNER
	CALCULATED SECTION CORNER

NOTES:

- HORIZONTAL DATUM- UTM10 NORTH, NAD83, INTERNATIONAL FOOT.
- THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.
- THIS DESCRIPTION WAS PREPARED UTILIZING A STATUS OF RECORD TITLE PREPARED BY AMERITITLE AND DATED NOVEMBER 21, 2022, THEREFORE SURVEYING AND MAPPING, LLC HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHTS OF WAY, VARIANCES AND OR AGREEMENTS OF RECORD EXCEPT AS SHOWN HEREON.

DATE: 06/09/2023
SCALE: 1"=500'
SURVEYOR: DWK
TECHNICIAN: ARBNOL SOPAJ
CHECKED BY:
DRAWING: 77148 - MCB-006.DWG

SAM

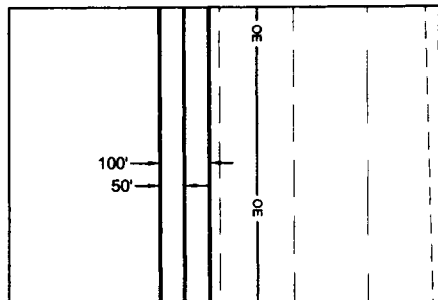
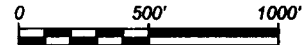
SURVEYING AND MAPPING LLC (SAM)
488 East Winchester St., Ste. 125
Murray UT, 84107
Ph: (801) 601-4342
EMAIL: SAM@SAMLBIZ

PROJECT: 1021077148
KLAMATH T-LINE EASEMENT
S2 T40S-R12E

SHEET 1 OF 2

EXHIBIT A

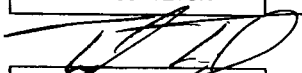
DAVID L. BROWN & SUSANNA A. BROWN
DOC. NO. 2008-005966
LOCATED IN THE NORTHWEST ONE-QUARTER OF
SECTION 2, T. 40 S., R. 12 E.,
W. B. & M., KLAMATH COUNTY, OREGON



DETAIL "A"
(NOT TO SCALE)

DAVID L. BROWN & SUSANNA A. BROWN
EASEMENTS
TOTAL PERMANENT
EASEMENT 2.559 AC. / 1114.87 FT. OR 67.57 RODS

REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
SEPTEMBER 14, 2021
TYLER GENE TRUJILLO
93279PLS

EXPIRATION DATE: 6/30/2024

LEGEND

	CENTERLINE
	SECTION LINE
	QUARTER SECTION LINE
	QUARTER QUARTER SECTION LINE
	PARCEL BOUNDARY
	FENCE LINE
	EXISTING OVERHEAD POWER
	TIE
	POINT OF COMMENCEMENT
	POINT OF BEGINNING
	POINT OF TERMINUS
	FOUND SECTION CORNER
	CALCULATED SECTION CORNER

NOTES:

1. HORIZONTAL DATUM- UTM10 NORTH, NAD83, INTERNATIONAL FOOT.
2. THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.
3. THIS DESCRIPTION WAS PREPARED UTILIZING A STATUS OF RECORD TITLE PREPARED BY AMERITITLE AND DATED NOVEMBER 21, 2022. THEREFORE SURVEYING AND MAPPING, LLC HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHTS OF WAY, VARIANCES AND OR AGREEMENTS OF RECORD EXCEPT AS SHOWN HEREON.

DATE: 06/06/2023
SCALE: 1"=500'
SURVEYOR: DWG
TECHNICIAN: ARBNOL SOPAJ
CHECKED BY:
DRAWING: 77148 - MCB-008.DWG

SAM

SURVEYING AND MAPPING LLC (SAM)
488 East Winchester St., Ste. 125
Murray UT, 84107
Ph: (801) 601-4342
EMAIL: SAM@SAM.BIZ

PROJECT: 1023077148
KLAMATH T-LINE EASEMENT
S2 T40S-R12E

SHEET 2 OF 2

EXHIBIT "B"**DESCRIPTION – PERMANENT EASEMENT**

**PACIFICORP
MALIN TO CASEBEER
TRANSMISSION LINE**

**DAVID L. BROWN & SUSANNA A. BROWN
MCB-OR-KL-006**

A PORTION OF THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 2, TOWNSHIP 40 SOUTH, RANGE 12 EAST OF THE WILLAMETTE BASE AND MERIDIAN, COUNTY OF KLAMATH, STATE OF OREGON, DESCRIBED AS FOLLOWS:

PERMANENT EASEMENT

A 100.00 FOOT WIDE STRIP, BEING 50.00 FEET AS MEASURED PERPENDICULAR, LEFT AND RIGHT OF THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 2, BEING A FOUND 3.25" GLO BRASS CAP (1913), THENCE SOUTH 32°28'37" EAST A DISTANCE OF 1618.58 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 2 AND THE **POINT OF BEGINNING**;

THENCE SOUTH 00°18'55" EAST, OVER AND ACROSS SAID SECTION 2, A DISTANCE OF 1114.87 FEET TO THE SOUTH LINE OF THE GRANTOR'S PROPERTY AND THE **POINT OF TERMINUS**, FROM WHICH THE WEST ONE-QUARTER CORNER OF SAID SECTION 2, BEING A FOUND 2.5" GLO BRASS CAP (1913) BEARS SOUTH 74°53'33" WEST A DISTANCE OF 823.42 FEET.

CONTAINING 2.559 ACRES OF LAND (111,487 SQUARE FEET) OF LAND, MORE OR LESS. THE TOTAL LENGTH OF THE ABOVE DESCRIBED CENTERLINE IS 1114.87 FEET, 67.57 RODS.

THE SIDE LINES OF SAID EASEMENT ARE TO BE SHORTENED OR EXTENDED TO TERMINATE ON PROPERTY LINES.



EXPIRATION DATE: 6/30/2024

TYLER GENE TRUJILLO
OREGON PROFESSIONAL LAND SURVEYOR NO. 93279

FOR AND ON BEHALF OF
SURVEYING AND MAPPING, LLC

NOTES:

1. SEE THE ATTACHED EXHIBIT BY WHICH THIS REFERENCE IS MADE PART HEREOF.
2. THIS DESCRIPTION WAS PREPARED UTILIZING A STATUS OF RECORD TITLE PREPARED BY AMERITITLE AND DATED NOVEMBER 21, 2022, THEREFORE SURVEYING AND MAPPING, LLC HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHTS OF WAY, VARIANCES AND OR AGREEMENTS OF RECORD EXCEPT AS SHOWN HEREON.
3. BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS AND/OR THE ONLINE POSITIONING USER SERVICE OFFERED BY THE N.G.S. AND PROJECTED TO "UTM10 NORTH, NAD83, INTERNATIONAL FOOT.
4. DISTANCES SHOWN HEREON ARE IN US SURVEY FEET GRID. THE COMBINED FACTOR USED TO OBTAIN THE GRID DISTANCES IS 0.999597623.

PROJ. NO. 1023077148
PREPARED BY: TYLER G. TRUJILLO
DATE PREPARED: 08/12/2023
FOR AND ON BEHALF OF SURVEYING AND MAPPING, LLC
488 EAST WINCHESTER ST., SUITE 125
MURRAY UT, 84107 - 385.255.0115
MCB 6
PRINTED: 7/18/2023 2:00:00 PM Arbol Sopaj

REVISIONS			
NO.	DATE	BY	DESCRIPTION
0	6/27/23	DWC	FINALIZE
1	7/17/23	DWC	CLIENT REDLINE REVISIONS