

2023-008439

Klamath County, Oregon



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09/28/2023 10:22:18 AM

Fee: \$92.00

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

CC#: 11176 WO#: 10073752 RW#: 20210269

ACCESS EASEMENT

For value received, ***Daniel J. Johnson and Carol M. Johnson***, ("Grantor"), hereby grant to **PacifiCorp**, an Oregon corporation, its successors and assigns, ("Grantee"), a perpetual easement for a right of way approximately **3,000** feet in length and approximately **20** feet in width for road purposes including the right to use said right of way to access Grantee's facilities, substation facilities and/or real and personal property. Said road right of way shall be located over, across, and upon Grantor's real property which is situated in **Klamath** County, State of **Oregon**, more particularly described below and more particularly shown on Exhibit A attached hereto and by this reference made a part hereof:

Parcel 2 of Land Partition 33-03 being a replat of Parcel 1 of Land Partition 8-01, situated in Section 23, the W1/2 of Section 24, the NW1/4 of Section 25 and the N1/2 of Section 26, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

Assessor's Map No.: 40s11e Tax Lot No.: 6004

Grantor shall have the right to install a gate(s) across the roadway; however, if the gate(s) is/are locked by Grantor, Grantee may install its own lock.

Grantee, its contractors, or agents, shall also have the right to keep the right of way clear of all brush, trees, timber, structures, buildings and other hazards that might impede Grantee's access to its facilities or activities.

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, shall inure to the benefit their respective heirs, successors and assigns and shall run with the land.

Dated this 14 day of Sept, 2023

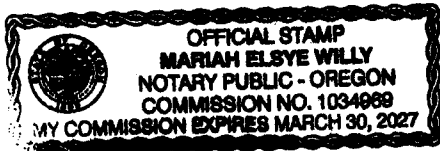
Daniel J. Johnson
Daniel J. Johnson GRANTOR

Carol M. Johnson
Carol M. Johnson GRANTOR

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Oregon)
COUNTY OF Klamath) SS.

This instrument was acknowledged before me on the 14th day of September, 2023
by Daniel J. Johnson.



Mariah E. Willy
Notary Public
My commission expires: March 30, 2027

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Oregon)
COUNTY OF Klamath) SS.

This instrument was acknowledged before me on the 14th day of September, 2023
by Carol M. Johnson.

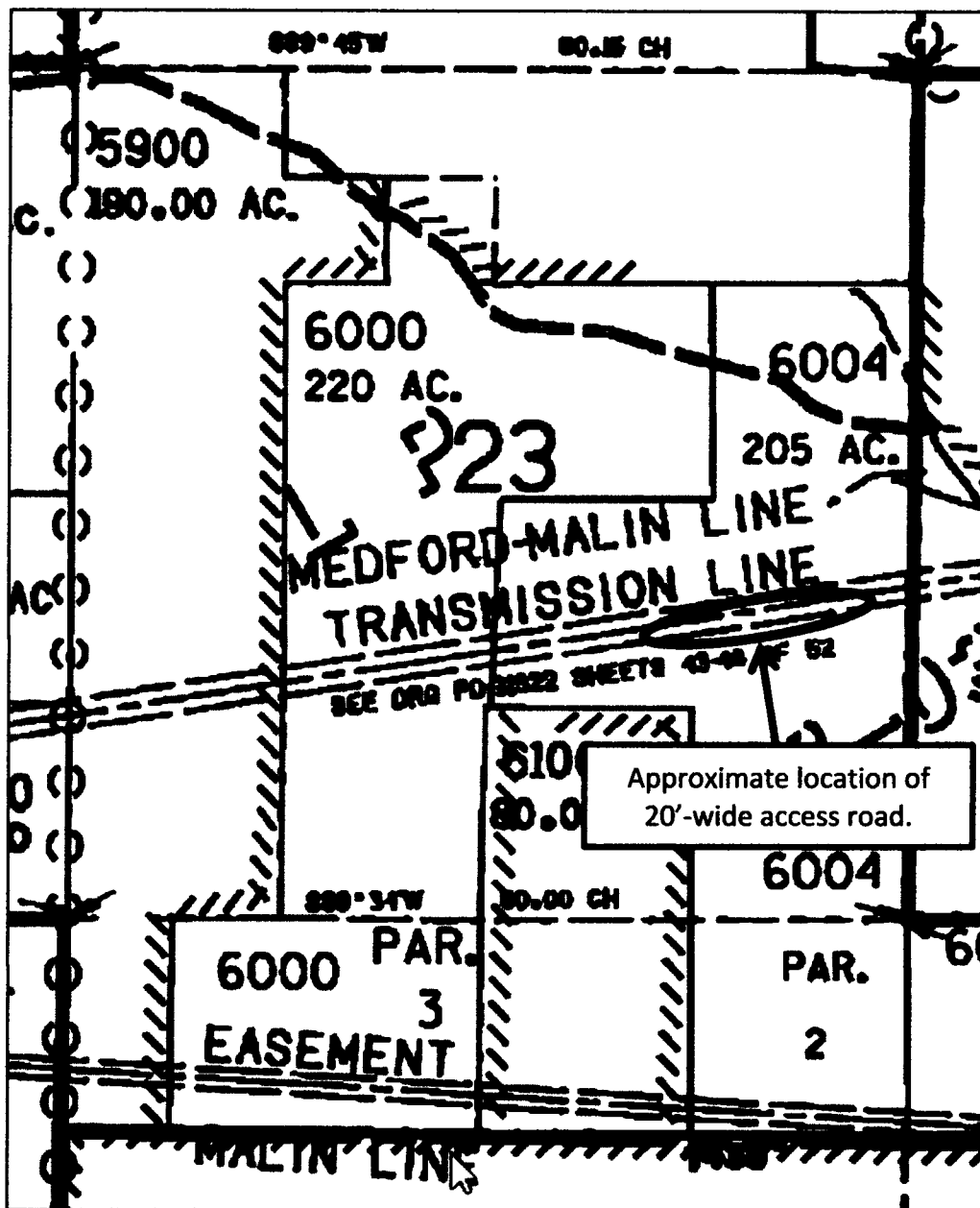


Mariah E. Willy
Notary Public
My commission expires: March 30, 2027

PROPERTY DESCRIPTION

In the SE 1/4 of Section 23, Township 40 South, Range 11 East
of the Willamette Meridian, Klamath County, State of Oregon.

Map / Tax Lot or Assessor's Parcel No.: 40110000006004



RW20210269

Landowner: Johnson

Drawn by: I. Taylor

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