Klamath County, Oregon 07/22/2024 08:41:02 AM

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, Chris Short and Glenda J. Short, Trustees or their Successors in Trust under the Christopher Steven Short and Glenda Jean Short Living Trust Dated December 21, 2016, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns ("Grantee"), a perpetual easement for right of way totaling 7.272 acres, 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, 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:

Unsurveyed Parcel 2 of land partition 40-03, being a re-plat of parcel 2 of minor land partition 11-90 and situated in the West 1/2 of Section 2 and the Northeast 1/4 of Section 3, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon. And

That portion of Unsurveyed Parcel 1 of land partition 40-03 described as follows: Beginning at the 1/4 corner between Section 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.

Assessor's Map No.: 40S 12E 301 Parcel No.: 4012-00000-00301-000

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. Together with the present and (without payment therefor) the future right of the Grantee to keep the right of way 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 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. Furthermore, Grantor is not obligated to maintain the vegetation in the easement area.

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 2/25 day of Jule .2024.

#### **GRANTOR**

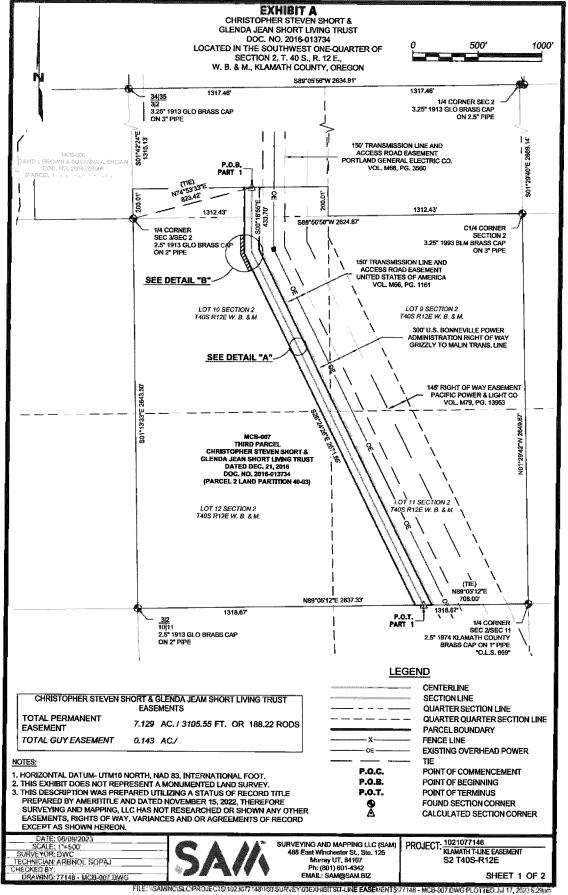
Name:

Christopher Steven Short and Glenda Jean Short Living Trust Dated December 21, 2016

1705466

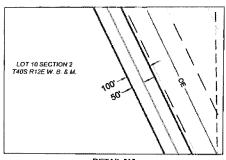
# REPRESENTATIVE ACKNOWLEDGEMENT

State of <u>Diegon</u> County of Klamath  Ss.
· · · · · · · · · · · · · · · · · · ·
This instrument was acknowledged before me on this $\frac{215}{6}$ day of $\frac{5000}{6}$ , $\frac{223}{6}$
by Chris Short, as Trustee,  Name of Representative, as Trustee,
Of the Christopher Steven Short and Glenda Jean Short Living Trust Dated December 21, 2016.
Notary Public  OFFICIAL STAMP  My commission expires: 3/23/2026  My commission expires: 3/23/2026
REPRESENTATIVE ACKNOWLEDGEMENT
State of Urgon State of State
County of Klumath SS.
This instrument was acknowledged before me on this 2/st day of June, My, Al
by <u>Gleada J. Short</u> , as <u>Trustee</u> ,  Name of Representative  Title of Representative
of the Christopher Steven Short and Glenda Jean Short Living Trust Dated December 21, 2016.
OFFICIAL STAMP  GARRETT RYAN ASTON  NOTARY PUBLIC - OREGON  COMMISSION NO. 1022709  MY COMMISSION EXPIRES MARCH 23, 2026  Notary Public  My commission expires: 3/23/2026

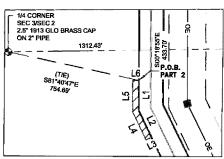


## **EXHIBIT A** CHRISTOPHER STEVEN SHORT & GLENDA JEAN SHORT LIVING TRUST DOC. NO. 2016-013734 LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 2, T. 40 S., R. 12 E., W. B. & M., KLAMATH COUNTY, OREGON





DETAIL "A" (NOT TO SCALE)



DETAIL "B" (NOT TO SCALE)

LINE TABLE					
LINE NO.	DIRECTION	LENGTH			
L1	S00°18'41"E	121.74'			
L2	S26°24'26"E	121.75			
L3	S63°35'34"W	25.00'			
L4	N26°24'26"W	127.54'			
L5	N00°18'41"W	127.53'			
L6	N89°41'19"E	25.00'			

REGISTERED **PROFESSIONAL** LAND SURVEYOR

OREGON SEPTEMBER 14, 2021 TYLER GENE TRUJILLO 93279PLS

EXPIRATION DATE: 6/30/2024

CHRISTOPHER STEVEN SHORT & GLENDA JEAM SHORT LIVING TRUST EASEMENTS

TOTAL PERMANENT EASEMENT

7.129 AC. / 3105.55 FT. OR 188,22 RODS

TOTAL GUY EASEMENT

1. HORIZONTAL DATUM- UTM10 NORTH, NAD 83, INTERNATIONAL FOOT.

1. HORIZONTIA DATUM- UNIT OND HIS HORIZON HERNATIONAL 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 15, 2022, THEREFORE SURVEYING AND MAPPING, LLC HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHTS OF WAY, VARIANCES AND OR AGREEMENTS OF RECORD

0.143 AC./

#### **LEGEND**

CENTERLINE SECTIONLINE 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

DATE: 06/09/2023 SCALE: 11=500 SURVEYOR: DWC TECHNICIAN: ARBINGI. SGPAJ CHECKED BY: DRAWING: 77148 - MC6-007 DWG

EXCEPT AS SHOWN HEREON.

NOTES:



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

PACIFICORP
MALIN TO CASEBEER
TRANSMISSION LINE

# CHRISTOPHER STEVEN SHORT & GLENDA JEAN SHORT LIVING TRUST MCB-OR-KL-007

A PORTION OF THE SOUTH HALF OF THE NORTHWEST ONE-QUARTER AND LOTS 9, 10, 11 AND 12, 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 PART 1**

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

**COMMENCING** AT THE WEST QUARTER CORNER OF SAID SECTION 2, BEING A FOUND 2.5" GLO BRASS CAP (1913), THENCE NORTH 74°53'33" EAST A DISTANCE OF 823.42 FEET TO A POINT ON THE NORTH LINE OF THE GRANTOR'S PROPERTY AND THE **POINT OF BEGINNING**:

THENCE OVER AND ACROSS SAID SECTION 2 THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- 1. SOUTH 00°18'55" EAST, A DISTANCE OF 433.70 FEET TO A POINT:
- SOUTH 26°24'26" EAST A DISTANCE OF 2671.85 FEET TO THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 2 AND THE POINT OF TERMINUS, FROM WHICH THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 2 BEARS NORTH 89°05'12" EAST A DISTANCE OF 708.00 FEET:

CONTAINING 7.129 ACRES OF LAND (310,566 SQUARE FEET) OF LAND, MORE OR LESS. THE TOTAL LENGTH OF THE ABOVE DESCRIBED CENTERLINE IS 3105.55 FEET, 188.22 RODS.

THE SIDE LINES OF SAID EASEMENT ARE TO BE SHORTENED OR EXTENDED MEET AT ANGLE POINTS AND TERMINATE ON PROPERTY LINES.

#### **GUY ANCHOR EASEMENT PART 2**

COMMENCING AT SAID WEST ONE-QUARTER CORNER OF SECTION 2, THENCE SOUTH 81°40'47" EAST A DISTANCE OF 754.69 FEET TO THE WEST LINE OF THE ABOVE-DESCRIBED PERMANENT EASEMENT AND THE POINT OF BEGINNING;

THENCE ALONG SAID WEST LINE OVER AND ACROSS SAID SECTION 2 THE FOLLOWING TWO (2) COURSES AND DISTANCES;

- 1. SOUTH 00°18'41" EAST A DISTANCE OF 121.74 FEET;
- 2. SOUTH 26°24'26" EAST A DISTANCE OF 121.75 FEET;

THENCE OVER AND ACROSS SAID SECTION 2 THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

- 1. SOUTH 63°35'34" WEST A DISTANCE OF 25.00 FEET:
- 2. NORTH 26°24'26" WEST A DISTANCE OF 127.54 FEET:
- 3. NORTH 00°18'41" WEST A DISTANCE OF 127.53 FEET;
- 4. NORTH 89°41'19" EAST A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.143 ACRES (6232 SQUARE FEET) OF LAND, MORE OR LESS.

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 7
PRINTED: 7/17/2023 6:43:00 PM Arbnol Sopaj

NO.	DATE	BY	DESCRIPTION
0	6/27/23	DWC	FINALIZE
1	7/17/23	DWC	CLIENT REDLINE REVISIONS
			710

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON SEPTEMBER 14, 2021 TYLER GENE TRUJILLO 93279PLS

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 15, 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.
- 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.
- 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: 06/12/2023
FOR AND ON BEHALF OF SURVEYING AND MAPPING, LLC
488 EAST WINCHESTER ST., SUITE 125
MURRAY UT, 84107 – 385.255.0115
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NO.	DATE	BY	DESCRIPTION
0	6/27/23	DWC	FINALIZE
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