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AGREEMENT MODIFYING A RIGHT OF WAY

THIS AGREEMENT is made by and between MARGARET W. LELO and HERBERT R. LELO, her Son, Grantor, and PACIFIC GAS TRANSMISSION COMPANY, a California corporation, Grantee, and affects the lands of Grantor which are situated in the County of Klamath, State of Oregon, and are described as follows:

A strip of land, 100 feet wide, lying 70 feet Easterly when measured at right angles and 30 feet Westerly when measured at right angles from a survey traverse line over and across the South Half of the Southeast Quarter of Section 13, Township 35 South, Range 9 East of the Willamette Meridian, EXCEPTING the Chiloquin-Sprague River Highway right-of-way, more particularly described as follows:

Commencing at the Southwest corner of the S 1/2 of the SE 1/4 of said Section 13, thence North 0°-43'-25" East along the West line of the S 1/2 of the SE 1/4 of said Section 13, 926.49 feet to the true point of beginning of this description; thence South 21°-48'-40" East 998.67 feet to a point on the South line of the S 1/2 of the SE 1/4 of said Section 13 and terminus of this description, said point being South 89°-53'-08" East along said South line 382.76 feet from the Southwest corner of the S 1/2 of the SE 1/4 of said Section 13, situated in Klamath County, Oregon.

All bearings based on Oregon Coordinate System - South Zone Grid.

By Judgment of Condemnation dated November 15, 1960, Grantee is the owner of a right of way and easement within a strip of land 100 feet wide over the lands of Grantor, which right of way and easement is described in and is subject to the terms and conditions set forth in said Judgment of Condemnation. Said Judgment of Condemnation is found in the County records of Klamath County as follows:

Case #60-119 recorded December 27, 1960 in Deed Book 326, Page 285, records of Klamath County, Oregon.

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Grantee desires to install an additional pipeline or pipelines within said right-of-way and easement in order to better serve its customers. Grantor is willing to grant to Grantee the right to install such pipeline or pipelines within Grantee's right-of-way and easement upon the same terms and conditions as are set forth in the Judgment of Condemnation referred to above. Grantee agrees to accept the rights granted by this instrument on the same terms and conditions as are set forth in said Judgment of Condemnation.

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IN CONSIDERATION of value paid by Grantee, the adequacy and receipt whereof are hereby acknowledged by Grantor, the parties hereto agree that Grantor does by this instrument convey the right to excavate for, install, replace, maintain, use, and remove an additional pipeline or pipelines within Grantee's right-of-way and easement for the same purposes and under the same terms and conditions as are set forth in said Judgment of Condemnation.

Except set forth in this agreement, no provision of said Judgment of Condemnation is in any way altered, modified, or terminated.

This agreement shall inure to the benefit of and bind the successors and assigns of the respective parties to this agreement.

The parties to this agreement have executed it in duplicate this 15<sup>th</sup>

day of January, 19 70.

Executed in the presence of:

Heidi Huse  
Witness

Margaret W. Lelo  
Margaret W. Lelo

Margaret W. Lelo  
Margaret W. Lelo on behalf of her son  
Herbert R. Lelo pursuant to that certain Power  
of Attorney executed by said Herbert R. Lelo  
dated January 8, 1965, copy of  
which is attached hereto for reference.

Grantor

ATTEST:

D. B. Allison  
Assistant Secretary

PACIFIC GAS TRANSMISSION COMPANY

By Charles Pennypacker Smith  
Vice President

Charles Pennypacker Smith  
President and General Manager

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WITNESS ACKNOWLEDGMENT

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STATE OF CALIFORNIA )  
COUNTY OF Calaveras ) ss.

On this 15th day of January, 19 70, before  
me, a Notary Public in and for said County and State, personally appeared  
H. E. Van Heusen

known to me to be the same person whose name appears on the foregoing  
instrument as subscribing witness thereto and who being duly sworn,  
acknowledged to me that he resides at Spokane, in the  
County of Spokane, State of Washington, and that he knew  
the person described in and who executed the foregoing instrument and  
that he was present and witnessed the execution of said instrument by  
Margaret W. Lelo, a single woman who executed said instrument on behalf of  
herself and on behalf of her son Herbert R. Lelo pursuant to that certain  
Power of Attorney executed by Herbert R. Lelo on January 8, 1965.

ILA NORRIE  
Notary Public for California

My commission expires \_\_\_\_\_

