

## RIGHT OF WAY EASEMENT

Earl Martin Kerns and Shirley F. Kerns, husband and wife, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, hereby grant(s), convey(s) and warrant(s) to THE WASHINGTON WATER POWER COMPANY, Doing Business As WP NATURAL GAS, a Washington corporation, its successors and assigns, an easement for the exclusive right to construct, reconstruct and maintain a gas regulator station and all necessary valves and appurtenances over, across, under and through the following described property in Klamath County, State of Oregon, to-wit:

A ten (10) foot by ten (10) foot parcel of land located in the Southeast Quarter (SE¼) of Section Twenty-Eight (28), Township Thirty-Nine (39) South, Range Eight (8) East, W.M., Klamath County, State of Oregon being more particularly described as follows:

Beginning at a point on the Easterly right-of-way line of Kerns Swamp Road from which point a brass cap monument marking the South Quarter Corner of Section Twenty-Eight (28), Township Thirty-Nine (39) South, Range Eight (8) East, W.M., bears South 67°28'30" West 2485.95 feet; thence North 55°26'30" East, ten (10) feet; thence South 34°33'30" East, ten (10) feet; thence South 55°26'30" West, ten (10) feet to said Easterly right-of-way line; thence North 34°33'30" West, ten (10) feet to the Point of Beginning

Together with the right to inspect said gas regulator facility, and to remove brush and trees that may interfere with the construction, maintenance and operation of the same. Buildings and dwellings within said easement area are prohibited. Grantor reserves the right to the use and enjoyment of said property except for the purposes herein granted, but such use shall not conflict or interfere with Grantee's surface or subsurface rights hereunder or disturb its lines or appurtenances and no road, reservoir or other structure or excavation shall be constructed or maintained on, over, or along said right-of-way without Grantee's prior written consent.

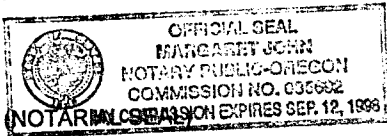
Executed and entered into this 25 day of January, 1996

X Earl Martin Kerns  
X Shirley F. Kerns

STATE OF Oregon )  
 County of Klamath ) ss.

On this 25 day of January, 19 96, personally appeared Earl Martin Kerns & Shirley F. Kerns known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.



Margaret John  
 NOTARY PUBLIC for the State of Oregon  
 Residing at Klamath Falls, Oregon  
 My Commission expires: 9-12-98

STATE OF Oregon )  
 County of Klamath ) ss.

On this 25 day of January, 19 96, before me Shirley F. Kerns, a Notary Public for the State of Oregon, personally appeared \_\_\_\_\_ known to me to be the officer \_\_\_\_\_ of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

(NOTARIAL SEAL)

NOTARY PUBLIC for the State of \_\_\_\_\_  
 Residing at \_\_\_\_\_  
 My Commission expires: \_\_\_\_\_

AFTER RECORDING RETURN TO:  
 Real Estate Department  
 The Washington Water Power Company  
 P. O. Box 3727  
 Spokane, Washington 99220

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of W.P. Natural Gas the 25th day of March, A.D., 19 96 at 3:41 o'clock PM., and duly recorded in Vol. M96, of Deeds on Page 8179.

FEE \$15.00

Return: W.P. Natural Gas  
P.O. Box 310  
Klamath Falls, Oregon 97601

By Bernetha G. Letsch, County Clerk