

**M06-12324**

Klamath County, Oregon

06/16/2006 09:26:30 AM

Pages 4 Fee: \$36.00

Return Address:

Avista Corporation

Real Estate Department

P.O. Box 3727

Spokane, Washington 99220-3727

Attn: Randy Daniels MSC-R10

**UNDERGROUND NATURAL GAS LINE(S) RIGHT OF WAY EASEMENT**

For Mutual Benefits, the receipt of which is hereby acknowledged, **REAMS GOLF AND COUNTRY CLUB**, "Grantor" hereby grants, conveys and warrants to the **AVISTA CORPORATION**, a Washington corporation "Grantee", a **10 foot wide** perpetual easement on, over, under, along and across the south side of tax lot 100 of map 3909E18 also identified as Assessor's parcel number R580455 records of Klamath County, located in Section 18, Township 39 South, Range 9 East, W.M., Klamath County, State of Oregon.

1. **PURPOSE.** Grantee shall have the right to construct, reconstruct, operate, maintain, repair, relocate and replace **an underground gas line(s)**, together with all necessary fixtures and appurtenances, "facilities", on, over, under, along and across the herein described property. **The legal description and approximate location of the easement are shown on the attached map marked EXHIBIT "A" and by this reference made a part hereof.**
2. **ACCESS AND DAMAGE.** Grantee shall have access over and across the above described property and the adjoining property of the Grantor for the purpose of the installation, repair and maintenance of said facilities, provided the Grantee repairs damages or compensates the Grantor for any damage to said properties as a result of such access and repair and maintenance.
3. **GRANTOR'S USE OF THE PROPERTY.** Grantor reserves the right to the use and enjoyment of the property described herein, but such use shall not conflict or interfere with the Grantee's rights herein granted. Grantor shall not construct, place or maintain any building or structures within the herein described easement area that would interfere with the maintenance or safe operation of said facilities or that are not in compliance with all safety and building codes, regulations and laws.
4. **INDEMNITY.** The Grantee agrees to indemnify and hold harmless the Grantor from any and all claims for damages suffered by Grantor including Grantor's agents, guests and employees which may be caused by Grantee's negligence in the exercise of the rights herein granted, provided, that the Grantee shall not be responsible to Grantor or Grantor's agents, guests or employees for any damages or injury to any person or property caused by acts or omissions of Grantor, including Grantor's agents, guests or invitees.

The Avista Corporation Document No. AM 50697

36

5. **SUCCESSORS AND ASSIGNS.** The rights and obligations of the parties shall be for the benefit of and be binding upon their respective successors, heirs and assigns.

DATED this 25<sup>th</sup> day of April, 2006.

GRANTOR

Steven A. Tippin

TITLE: PRESIDENT  
REAMS GOLF AND COUNTRY CLUB

STATE OF OREGON                     )  
  ) ss.  
COUNTY OF KLAMATH            )

I certify that I know or have satisfactory evidence that Steven A. Tippin, signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as **PRESIDENT, REAMS GOLF AND COUNTRY CLUB** to be the free and voluntary act and deed for such party for the purposes therein mentioned.

GIVEN under my hand and official seal this 25<sup>th</sup> day of April, 2006.



Signature Jennifer R. Pagan  
Print Name Jennifer R. Pagan

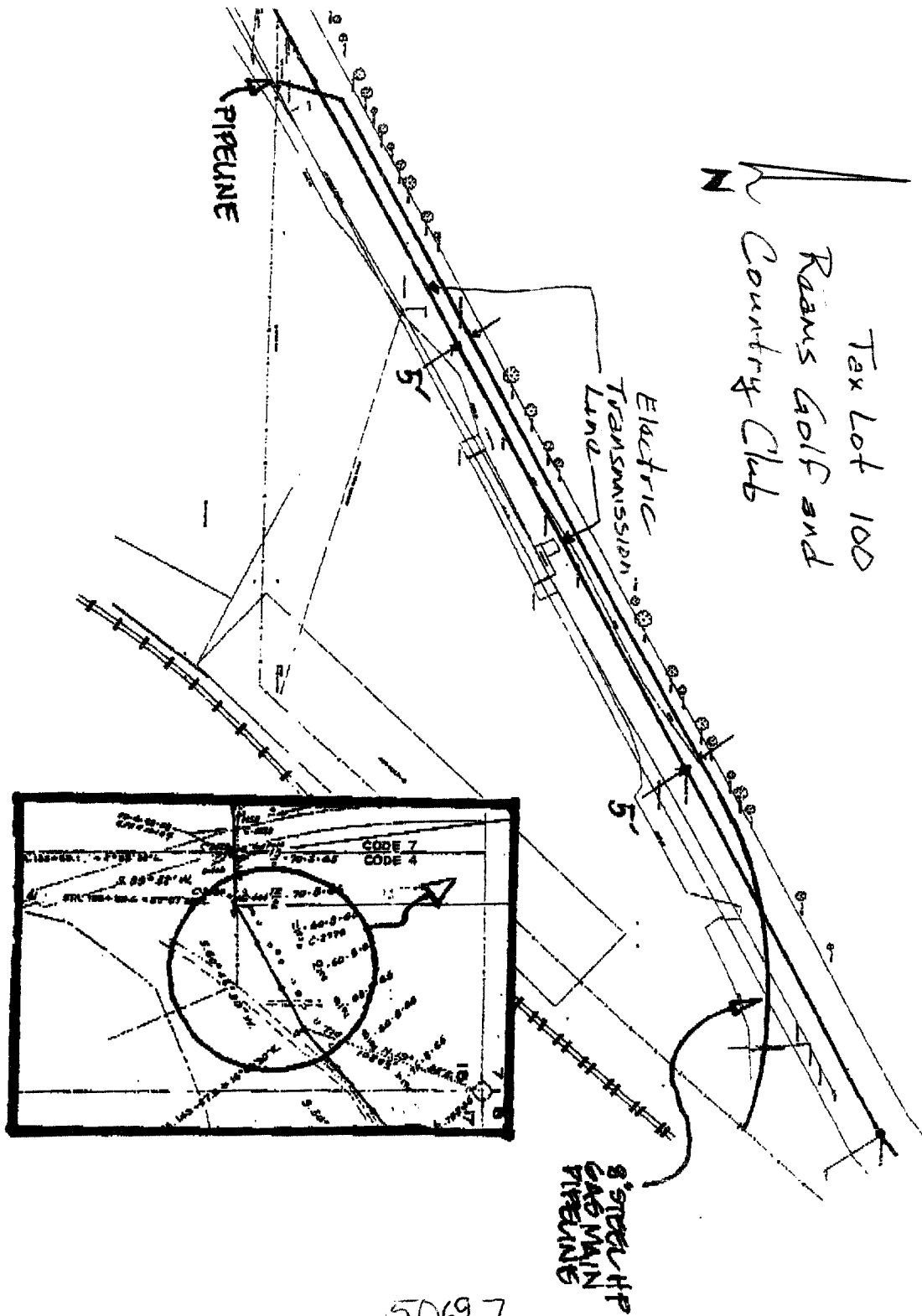
Notary Public for the State of Oregon

Residing at 419 main st. Klamath Falls,  
OR 97604

My Commission expires 5-16-08

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Exhibit "A"



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## Exhibit "A"

### Legal Description of Easement

A 10 foot wide strip of land situated in the NE¼ of Section 18, Township 39 South, Range 9 East W.M. Klamath County, Oregon, the centerline of which is describe as follows; Beginning at a point on the South line of the NE¼ NE¼ of said Section 18, from which the NE1/16 corner of said Section 18 bears N 89° 27' 32" W 331.82 feet; thence N 13° 38' 57" W 25.17 feet; thence N 61° 34' 45" E 330.13 feet; thence N 61° 53' 35" E 203.39 feet; thence N 72° 46' 38" E 26.72 feet; thence N 89° 25' 34" E 54.23 feet, more or less, to a point on the Southeasterly right of way line of the 40 foot wide Transmission Line easement contained in deed volume 359 page 517 of the Klamath County deed records; thence N 85° 48' 59" E 44.25 feet; thence S 70° 01' 13" E 50 feet to the terminus of the centerline description.

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