

2007-011239

Klamath County, Oregon



06/22/2007 10:58:28 AM

Fee: \$36.00

Return Address:

Avista Corporation
Real Estate Department
P.O. Box 3727
Spokane, Washington 99220-3727
Attn: Randy Daniels MSC-R10

NATURAL GAS REGULATOR STATION
RIGHT OF WAY EASEMENT

For Mutual Benefits, the receipt of which is hereby acknowledged, WESGO, a partnership, "Grantor" hereby grants, conveys and warrants to the AVISTA CORPORATION, a Washington corporation "Grantee", a perpetual 15 foot wide gas line easement and a 15 foot x 20 foot regulator station easement on, over, under, along and across the eastern portion of tax lots 500 and 900 of map 399E16, also identified as Assessor's parcel numbers R579635 and R579715 records of Klamath County, located in Section 16, 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 natural gas line and regulator station**, together with all necessary fixtures and appurtenances, "facilities", on, over, under, along and across the herein described property. **The approximate location of the easement is shown on the attached map Exhibit "A" and the legal description of said parcel is shown on Exhibit "B" and are 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. 50203

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 19th day of MARCH, 2007.

GRANTOR

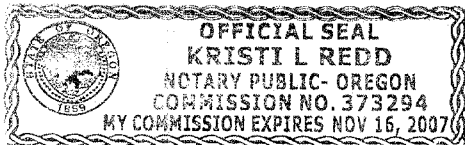
Melvin L. Stewart Partner
WESGO, a partnership

STATE OF OREGON)
) ss.
COUNTY OF KLAMATH)

I certify that I know or have satisfactory evidence that Melvin L. Stewart, signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as a **partner of, WESGO** 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 19th day of MARCH 2007.

Kristi L. Redd
Signature
Kristi L. Redd
Print Name



Notary Public for the State of Oregon

Residing at Klamath County, Oregon

My Commission expires 11/16/2007

Exhibit "A"

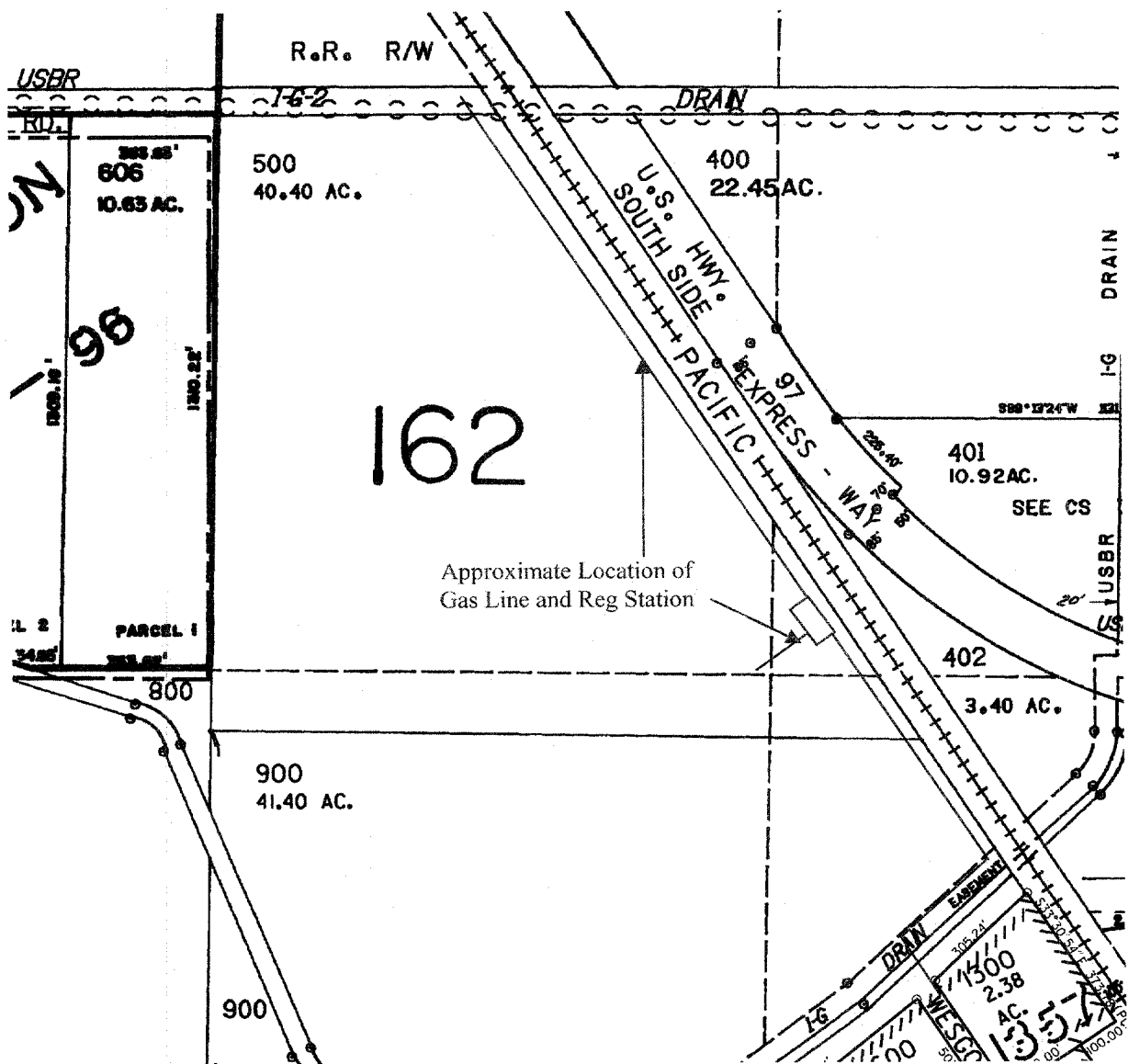


Exhibit "B"

A tract of land situated in the SE $\frac{1}{4}$ of Section 16, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the $\frac{1}{4}$ corner common to Section 21 and said Section 16; thence N00°23'30"East, along the North-South center section line of said Section 16, 2660.43 feet to the center $\frac{1}{4}$ corner of said Section 16; thence N89°54'43"East, along the East-West center section line of said Section 16, 700.65 feet to a point on the Southwesterly right of way line of the Union Pacific Railroad; thence S33°30'54" East, along the said Southwesterly right of way line, 2237.31 feet; thence, along the Southerly line of those lands described in Deed Volume 43, page 548 of the Klamath County Deed Records, S45°54'05"West 333.50 feet, S50°55'55"West 645.28 feet and S22°38'06" West 173.70 feet to a point on the South line of said Section 16; thence S89°50'25" West 1147.05 feet to the point of beginning.