

2010-011319

Klamath County, Oregon



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09/24/2010 08:49:14 AM

Fee: \$72.00

September 16, 2010

Amendment to Easement Agreement Neil Grohs Sr 1997 Trust (Grantors)
and Ruby Pipeline LLC (Grantees)

Please return re-recorded document to:

Denise Toney

Ruby Pipeline LLC

2 N Nevada Ave #524

Colorado Springs, CO 80903

719-520-4543

AMENDMENT TO EASEMENT

STATE OF OREGON
COUNTY OF KLAMATH

LL 300A Ruby Pipeline LL# 4094;4099
CO 128576

By original Right of Way Easement dated the 21st day of October, 2009, recorded under 2009-014978 on November 23, 2009 of the Clerk & Recorder Records of Klamath County, State of Oregon, here referred to, a right-of-way for the construction, operation and maintenance of a natural gas pipe line or lines, and all appurtenances thereto, as granted unto RUBY PIPELINE, L.L.C. by, NEIL GROHS, SR. 1997 TRUST, ETAL, over and across the following described property, lying and being situated in Klamath County, State of Oregon, to wit:

Realignment of the pipeline across a portion of:
Section 16, Township 41 South, Range 15 East – Plat 300AU-4094
Section 19, Township 41 South, Range 15 East – Plat 300AU-4099

RUBY PIPELINE, L.L.C., the legal holder and owner of said right-of-way, has paid to the undersigned an amount agreed upon by both parties, the receipt of which is hereby acknowledged, and in consideration of such payment the undersigned hereby does amend said original Right Of Way Agreement and does grant, convey and confirm unto RUBY PIPELINE, L.L.C. a right-of-way and easement being 115 feet in width during construction and thereafter 50 feet in width throughout, extending on, over and across the above described land.

All of the rights and privileges granted to RUBY PIPELINE, L.L.C. and all of the obligations assumed by it in said original Right Of Way Agreement shall be and are hereby made applicable to the realignment right-of-way granted herein and are incorporated herein and made a part hereof in the same manner and with the same force and effect as if set out herein and as if said original Right Of Way Agreement included the realignment according to updated Plat No(s) 300AU-4094 & 300AU-4099, Exhibit A, hereby conveyed.

To have and to hold the above described right-of-way and easement, rights and privileges unto RUBY PIPELINE, L.L.C., its successors and assigns forever, and the terms and provisions hereof shall likewise be binding upon and inure to the benefit of the undersigned, his successors, heirs and assigns.

EXECUTED this 9th day of August, 2010

OWNER(s)

Neil Grohs Sr 1997 Trust

By: Phillip L Grohs

Title: _____

Phillip L Grohs
Phillip L Grohs

Neil C Grohs Jr
Neil C Grohs Jr

Plat No(s). 300AU-4094,4099

2 of 8 EASEMENT Agreement

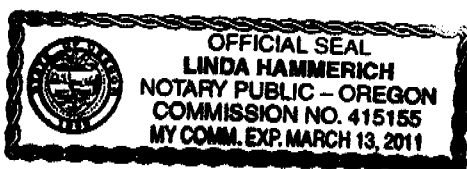
ACKNOWLEDGEMENT

STATE OF Oregon)
COUNTY OF Klamath)ss.

BEFORE ME, THE UNDERSIGNED, A Notary Public, within and for said State and County on this 9th day of August, 2010, personally appeared Neil Grohs, Jr. ~~Phillip and Carl Grohs~~ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument as a free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

[Seal]



Linda Hammerich
Notary Public

15666 E. Langell Valley Road
Address Bonanza, OR 97623

My Commission expires:

March 13, 2011

STATE OF Oregon)
COUNTY OF Klamath)ss.

BEFORE ME, THE UNDERSIGNED, A Notary Public, within and for said State and County on this 9th day of August, 2010, personally appeared Phillip Grohs who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument as a free and voluntary act and deed for the uses and purposes therein set forth.

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[Seal]



Linda Hammerich
Notary Public

15666 E. Langell Valley Road
Address Bonanza, OR 97623

My Commission expires:

March 13, 2011

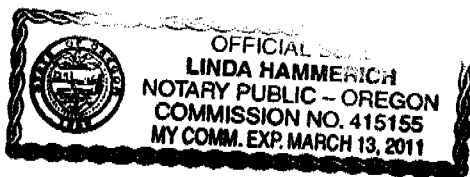
CORPORATE ACKNOWLEDGEMENT

STATE OF Oregon)
COUNTY OF Klamath)ss.

BEFORE ME, THE UNDERSIGNED, A Notary Public, within and for said State and County on this 9th day of August, 2010, personally appeared Phillip Grons a _____, for _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the entity upon behalf of which the person(s) acted, executed the instrument as a free and voluntary act and deed for the uses and purposes therein set forth.

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[Seal]



Linda Hammerich
Notary Public
15666 E. Langell Valley Road
Address Bonanza, OR 97623

My Commission expires:

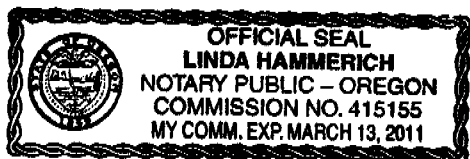
March 13, 2011

STATE OF Oregon)
COUNTY OF Klamath)ss.

BEFORE ME, THE UNDERSIGNED, A Notary Public, within and for said State and County on this 9th day of August, 2010, personally appeared Neil Grons, Jr. a _____, for _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the entity upon behalf of which the person(s) acted, executed the instrument as a free and voluntary act and deed for the uses and purposes therein set forth.

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[Seal]



Linda Hammerich
Notary Public
15666 E. Langell Valley Road
Address Bonanza, OR 97623

My Commission expires:

March 13, 2011

NEIL GROHS, SR. 1997 TRUST, ETAL

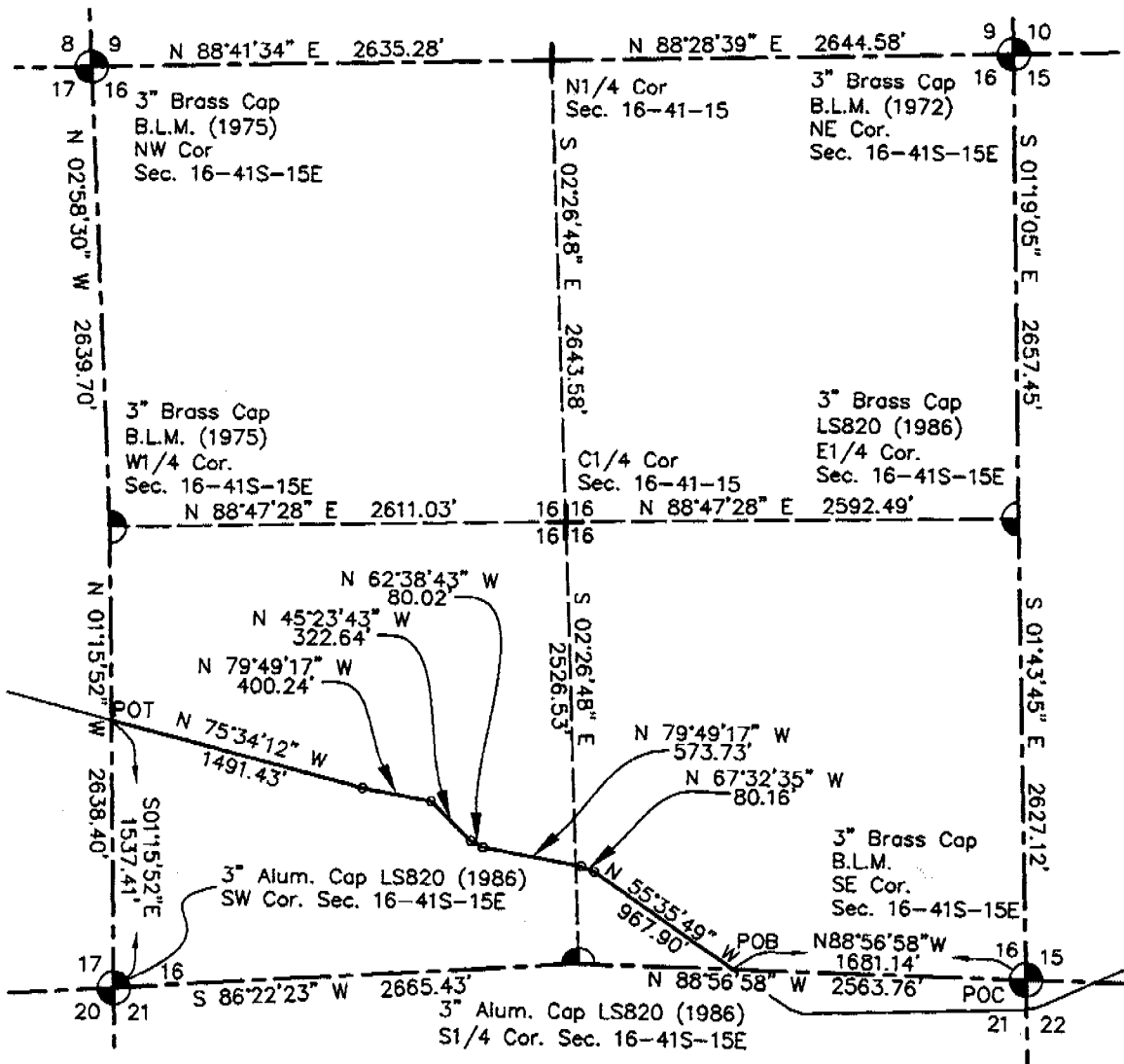
3916.12 FEET
237.34 RODS
4.495 ACRES



SCALE: 1" = 1000'
0 500' 1000'

LEGEND

- FOUND SECTION CORNER
- FOUND QUARTER CORNER
- FOUND SIXTEENTH CORNER
- CALCULATED CORNER
- EASEMENT PI
- POINT OF COMMENCING
- POINT OF BEGINNING
- POINT OF TERMINUS



CERTIFICATE OF SURVEYOR

I, Douglas E. Adkins, a Professional Land Surveyor in the State of Oregon, do hereby state that, to the best of my knowledge, information, and belief, this map was prepared from field notes taken during an actual survey made by me or under my direct supervision and that this map correctly shows the results of said survey and that the monuments found are as shown.

NOTES:

- 1.) The accompanying plat does not constitute a boundary survey.
- 2.) Easement centerline may not represent location of pipeline.
- 3.) Client did not want any rights-of-way and easements shown.
- 4.) Basis of bearings - UTM bearings, Zone 10N, as established by GPS static survey, July 1, 2008 - June 29, 2009, NAD1983 Datum, NAVD1988 Datum, Geoid Model 03, and adjusted to established CORS stations.
- 5.) Combined adjustment factor: 1.00028212 (Grid to Ground).

REGISTERED
PROFESSIONAL
LAND SURVEYOR

D E Adkins

OREGON
DECEMBER 15, 1978
DOUGLAS E. ADKINS
1794

RENEWAL DATE 12/31/11

REFER TO SHEET 2 OF 2
FOR LEGAL DESCRIPTION

REF. DWG:

LINE LIST NO.: 4094

ADKINS CONSULTING ENGINEERS, INC. 2950 Shasta Way (541) 884-4666		SURVEYED AND PREPARED BY:			
Engineers • Planners • Surveyors Klamath Falls, Oregon 97603 FAX (541) 884-5335		1	6-17-2010	TLJ	ALIGNMENT RE ROUTE
		NO.	DATE	BY	DESCRIPTION
					PROJ. ID
					APPR.
REVISIONS					
Division: ROCKY MOUNTAIN		Op. Area: ELKO			
State: OREGON		Co./Par.: KLAMATH			
Section: 16	Township: 41S	Range: 15E			
Dft: HEP	Date: 7-22-09	Project ID: 128376			
Chk: DEA	Date: 8-10-10	Scale: 1"=1000'			
Appr: DEA	Date: 8-10-10	Filename: 0300-AU-4094			
LAND PLAT RUBY PIPELINE - LN 300A CROSSING NEIL GROHS, SR. 1997 TRUST, ETAL PROPERTY			RUBY PIPELINE LLC		
300AU-4094			Sheet: 1 of 2		Rev. 1
			Type: LANDDEV		

NEIL GROHS, SR. 1997 TRUST, ETAL

3916.12 FEET
237.34 RODS
4.495 ACRES


A 50.00 foot easement for pipeline purposes across a portion of the South Half of Section 16, Township 41 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon. Said easement being 25.00 feet on each side of the following described centerline:

Commencing from the Southeast Corner of said Section 16; thence along the South Line of said Section 16, North 88 degrees 56 minutes 58 seconds West, a distance of 1681.14 feet to the Point of Beginning; thence North 55 degrees 35 minutes 49 seconds West, a distance of 967.90 feet; thence North 67 degrees 32 minutes 35 seconds West, a distance of 80.16 feet; thence North 79 degrees 49 minutes 17 seconds West, a distance of 573.73 feet; thence North 62 degrees 38 minutes 43 seconds West, a distance of 80.02 feet; thence North 45 degrees 23 minutes 43 seconds West, a distance of 322.64 feet; thence North 79 degrees 49 minutes 17 seconds West, a distance of 400.24 feet; thence North 75 degrees 34 minutes 12 seconds West, a distance of 1491.43 feet to the West Line of said Section 16 and the Point of Terminus, at which point the Southwest Corner of said Section 16 bears South 01 degrees 15 minutes 52 seconds East, a distance of 1537.41 feet.

Extending or shortening the side lines to close upon the South and West Lines of said Section 16. Containing 195,806 Square Feet or 4.495 Acres, more or less.

REFER TO SHEET 1 OF 2
FOR EXHIBIT DRAWING

REF. DWG: LINE LIST NO.: 4094

ADKINS CONSULTING ENGINEERS, INC. 2950 Shasta Way (541) 884-4666		SURVEYED AND PREPARED BY:											
Engineers & Planners & Surveyors Klamath Falls, Oregon 97603 FAX (541) 884-5335		1		6-17-2010		TLJ		ALIGNMENT RE ROUTE					
NO.		DATE		BY		DESCRIPTION		PROJ. ID		APPR.			
REVISIONS													
Division: ROCKY MOUNTAIN		Op. Area: ELKO		LAND PLAT RUBY PIPELINE - LN 300A CROSSING NEIL GROHS, SR. 1997 TRUST, ETAL PROPERTY				 RUBY PIPELINE LLC					
State: OREGON		Co./Par.: KLAMATH											
Section: 16		Township: 41S										Range: 15E	
Dft: HEP		Date: 7-22-09										Project ID: 128576	
Chk: DEA		Date: 8-10-10										Scale: 1"=1000'	
Appr: DEA		Date: 8-10-10		Filename: 0300-AU-4094		300AU-4094A		Sheet: 2 of 2		Rev. 1			
								Type: LANDDEV					

NEIL GROHS, SR., 1997 TRUST, ETAL

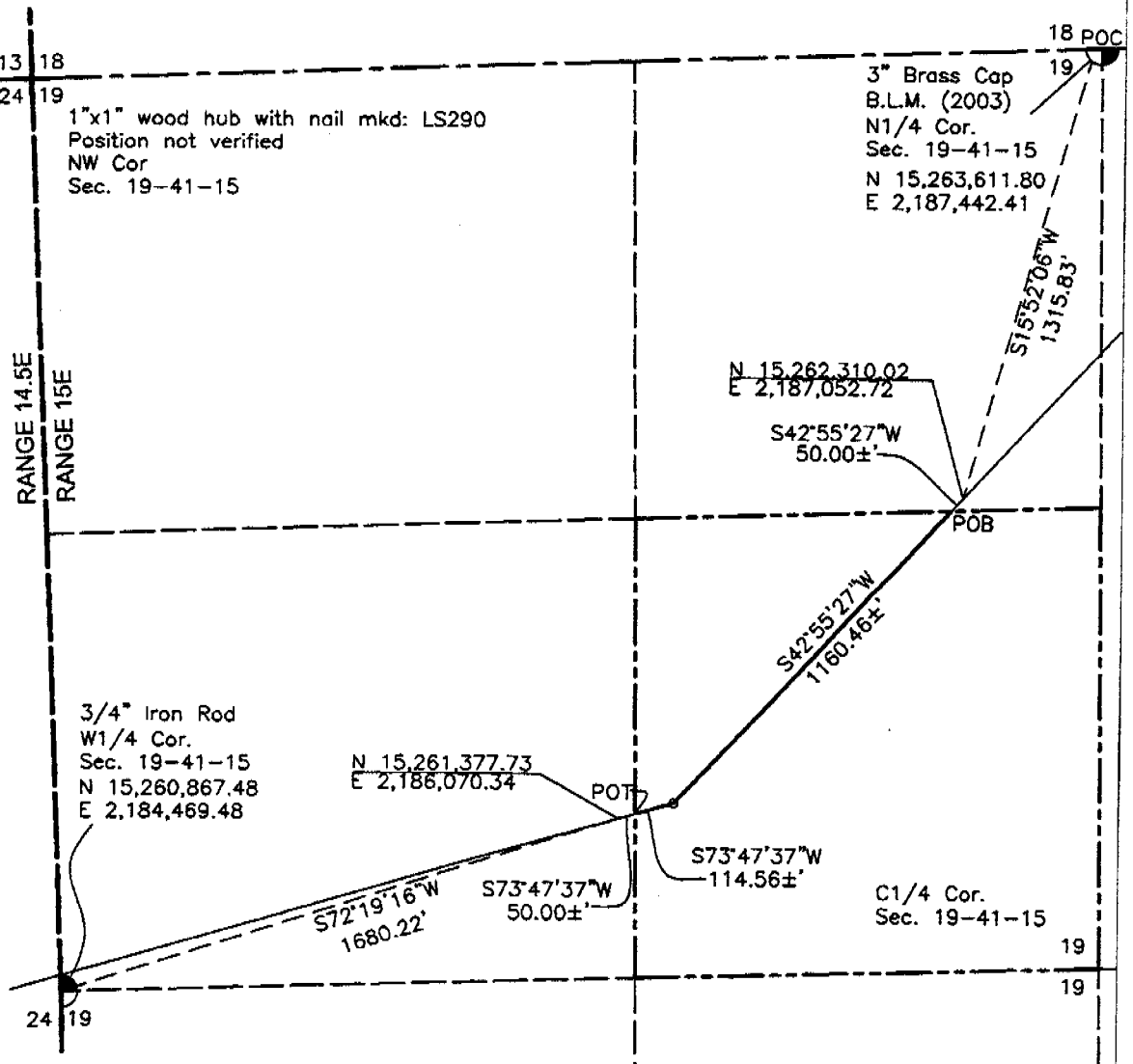
1275± FEET
77.3± RODS
1.46± ACRES



SCALE: 1" = 500'
0 250' 500'

LEGEND

- FOUND SECTION CORNER
- FOUND QUARTER CORNER
- FOUND SIXTEENTH CORNER
- CALCULATED CORNER
- EASEMENT PI
- POINT OF COMMENCING
- POINT OF BEGINNING
- POINT OF TERMINUS



CERTIFICATE OF SURVEYOR

I, Douglas E. Adkins, a Professional Land Surveyor in the State of Oregon, do hereby state that, to the best of my knowledge, information, and belief, this map was prepared from field notes taken during an actual survey made by me or under my direct supervision and that this map correctly shows the results of said survey and that the monuments found are as shown.

NOTES:

- 1.) The accompanying plat does not constitute a boundary survey.
- 2.) Easement centerline may not represent location of pipeline.
- 3.) Client did not want any rights-of-way and easements shown.
- 4.) Basis of bearings - UTM bearings, Zone 10N, as established by GPS static survey, July 1, 2008 - June 29, 2009, NAD1983 Datum, NAVD1988 Datum, Geoid Model 03, and adjusted to established CORS stations.
- 5.) Distances shown hereon are Grid Distances per said UTM Zone 10N.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

D E Adkins

OREGON
DECEMBER 15, 1978
DOUGLAS E. ADKINS
1794

RENEWAL DATE 12/31/11

REFER TO SHEET 2 OF 2
FOR LEGAL DESCRIPTION

REF. DWG:

LINE LIST NO.: 4099

ADKINS		SURVEYED AND PREPARED BY:			
CONSULTING ENGINEERS, INC. 2950 Shasta Way (541) 884-4686		Engineers & Planners & Surveyors Klamath Falls, Oregon 97603 FAX (541) 884-5335			
Division: ROCKY MOUNTAIN	Op. Area: ELKO				
State: OREGON	Co./Par.: KLAMATH				
Section: 19	Township: 41S	Range: 15E			
Dft: HEP	Date: 7-15-09	Project ID: 128578			
Chk: DEA	Date: 8-10-10	Scale: 1"=500'			
Appr: DEA	Date: 8-10-10	Filename: 0300-AU-4099			
LAND PLAT RUBY PIPELINE - LN 300A CROSSING NEIL GROHS, SR., 1997 TRUST, ETAL PROPERTY					
			Sheet: 1 of 2	Rev.	
			Type: LANDDEV	1	

NEIL GROHS, SR., 1997 TRUST, ETAL

1275± FEET
77.3± RODS
1.46± ACRES

A 50.00 foot easement for pipeline purposes across a portion of the Southeast Quarter of the Northwest Quarter of Section 19, Township 41 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon. Said easement being 25.00 feet on each side of the following described centerline:

Commencing from the North Quarter Corner of said Section 19, being Universal Transverse Mercator Zone 10 Coordinate North 15,263,611.80, East 2,187,442.41 (US Survey Feet); thence South 15 degrees 52 minutes 06 seconds West, a distance of 1315.83 feet, to Universal Transverse Mercator Zone 10 Coordinate North 15,262,310.02 East 2,187,052.72; thence South 42 degrees 55 minutes 27 seconds West, a distance of 50.00 feet, more or less, to the North Line of the Southeast Quarter of the Northwest Quarter of said Section 19 and the Point of Beginning; thence continuing South 42 degrees 55 minutes 27 seconds West a distance of 1160.46 feet, more or less; thence South 73 degrees 47 minutes 37 seconds West, a distance of 114.56 feet, more or less to the West Line of the Southeast Quarter of the Northwest Quarter of said Section 19 and the Point of Terminus; thence continuing South 73 degrees 47 minutes 37 seconds West a distance of 50.00 feet, more or less to Universal Transverse Mercator Zone 10 Coordinate North 15,261,377.73, East 2,186,070.34, from which the West Quarter Corner of said Section 19, being Universal Transverse Mercator Zone 10 Coordinate North 15,260,867.48, East 2,184,469.48, bears South 72 degrees 19 minutes 16 seconds West, a distance of 1680.22 feet.

Extending or shortening the side lines to close upon the North and West Lines of the Southeast Quarter of the Northwest Quarter of said Section 19. Containing 63,751 Square Feet or 1.46 Acres, more or less.

REFER TO SHEET 1 OF 2
FOR EXHIBIT DRAWING

REF. DWG:

LINE LIST NO.: 4099

ADKINS CONSULTING ENGINEERS, INC. 2950 Shasta Way (541) 884-4666		SURVEYED AND PREPARED BY: Engineers & Planners & Surveyors Klamath Falls, Oregon 97603 FAX (541) 884-5335							
Division: ROCKY MOUNTAIN		Op. Area: ELKO		1		6-17-2010		TLJ	
State: OREGON		Co./Par.: KLAMATH		NO.		DATE		BY	
Section: 19		Township: 41S		Range: 15E		DESCRIPTION		PROJ. ID	
Dft: HEP		Date: 7-15-09		Project ID: 128576		REVISIONS		APPR.	
Chk: DEA		Date: 8-10-10		Scale: 1"=500'		LAND PLAT RUBY PIPELINE - LN 300A CROSSING NEIL GROHS, SR., 1997 TRUST, ETAL PROPERTY		RUBY PIPELINE LLC	
Appr: DEA		Date: 8-10-10		Filename: 0300-AU-4099		300AU-4099A		Sheet: 2 of 2 Type: LANDDEV	
								Rev. 1	