

2012-006310

Klamath County, Oregon



00119526201200063100040047

06/11/2012 09:15:49 AM

Fee: \$52.00

**AMENDMENT TO EXCLUSIVE EASEMENT
CORRECTION TO LEGAL DESCRIPTION**

STATE OF OREGON

LL 301A Malin Lateral LL# 1.1 Malin Measurement Facility

COUNTY OF KLAMATH

CO 135188

By original Right of Way Easement dated the 27th day of January, 2010, recorded at Reception 2010-002730, on March 1, 2010 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., Two North Nevada Avenue, Colorado Springs, Colorado 80903 by, VICTOR A. TERRY AND PENELOPE TERRY, 33909 Malin Loop Road, Malin, Oregon 97632, over and across the following described property, lying and being situated in Klamath County, State of Oregon, to wit:

Therein described as: Township 41 South, Range 12 East, Section 11: SW1/4NE1/4, SE1/4NW1/4

Corrected Legal Description: Township 41 South, Range 12 East Section 11: SW1/4NE1/4NE1/4; SE1/4NW1/4NE1/4
As per Plat: 301AU-001.1

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 "Corrected Legal Description" 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 301AU-001.1, 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 14 day of May, 2012

OWNER(s)

Victor A. Terry
Penelope Terry

ACKNOWLEDGEMENT

STATE OF

Oregon)
)ss.

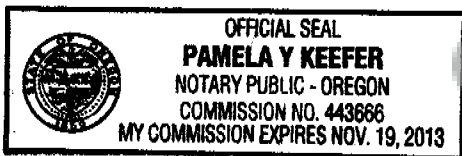
COUNTY
OF

Klamath)

BEFORE ME, THE UNDERSIGNED, A Notary Public, within and for said State and County on this
14th day of May, 2012, personally appeared Victor A. Terry and Penelope Terry who proved to
me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and
acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument
the persons, or the entity upon behalf of which the persons 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]



Pamela Y. Keffer
Notary Public

540 Main St, Klamath Falls, OR 97601
Address

My Commission expires:

November 19, 2013

STATE OF

_____)
)ss.

COUNTY
OF

_____)

BEFORE ME, THE UNDERSIGNED, A Notary Public, within and for said State and County on this
____ day of _____, 2012, personally appeared _____ who
proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and
acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument
the persons, or the entity upon behalf of which the persons 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.

Notary Public

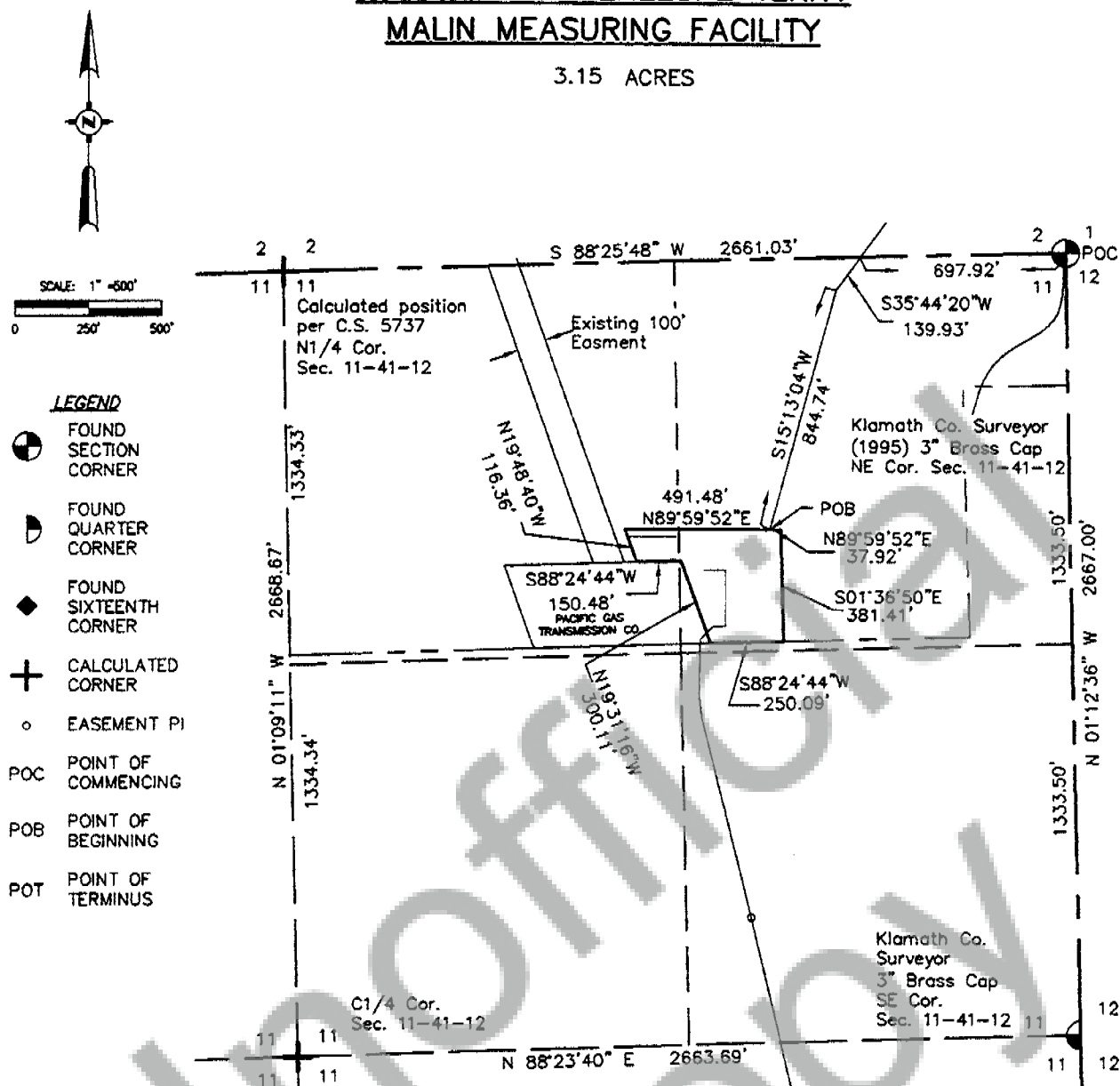
[Seal]

Address

My Commission expires:

VICTOR A. & PENELOPE TERRY MALIN MEASURING FACILITY

3.15 ACRES



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 - October 1, 2008, NAD1983 Datum, NAVD1988 Datum, Geoid Model 03, and adjusted to established CORS stations.
- 5.) Combined adjustment factor: 1.00037276 (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.: 301A-1.1

SURVEYED AND PREPARED BY:



Engineers & Planners & Surveyors
Klamath Falls, Oregon 97603
FAX (541) 884-5335

Division: ROCKY MOUNTAIN	Op. Area: ELKO
State: OREGON	Co./Par.: KLAMATH
Section: 11	Township: 41S
Range: 12E	
Dft: JDB	Date: 07-20-09
Project ID: 128576	
Chk: TLJ	Date: 07-20-09
Scale: 1"=500'	
Appr: DEA	Date: 09-21-2010
Filename: 301-AU-001.1.DWG	

4	10/27/09	JDB	REVISED ALIGNMENT		
3	10/13/09	JDB	REVISED ALIGNMENT		
2	04/02/09	JDB	DRAWING SCALE		
1	3/13/09	JDB	REVISED ALIGNMENT		
NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.

REVISIONS

**LAND PLAT
RUBY PIPELINE - LN 301A
CROSSING
VICTOR A. AND PENELOPE TERRY
PROPERTY**

RUBY PIPELINE LLC

301AU-001.1

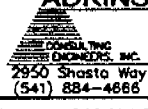

Sheet: 1 of 2
Type: LANDDEV
Rev. 0

VICTOR A. & PENELOPE TERRY
MALIN MEASURING FACILITY
3.15 ACRES

An easement over a tract of land for pipeline purposes across a portion of the North Half of the Northeast Quarter of Section 11, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

Commencing from the Northeast Corner of said Section 11; thence South 88 degrees 25 minutes 48 seconds West, a distance of 697.92, along the North Line of the Northeast Quarter of said Section 11; thence South 35 degrees 44 minutes 20 seconds West, a distance of 139.93; thence South 15 degrees 13 minutes 04 seconds West, a distance of 844.74 feet to the Point of Beginning; thence North 89 degrees 59 minutes 52 seconds East, a distance of 37.92 feet; thence South 01 degrees 36 minutes 50 seconds East, a distance of 381.41 feet; thence South 88 degrees 24 minutes 44 seconds West, a distance of 250.09 feet to an existing brass cap in concrete at the Southeast corner of the Pacific Gas Transmission Company property; thence North 19 degrees 31 minutes 16 seconds West, a distance of 300.11 feet to an existing brass cap in concrete at the Northeast corner of said Pacific Gas Transmission Company property; thence South 88 degrees 24 minutes 44 seconds West, a distance of 150.48 feet, along the North line of said Pacific Gas Transmission Company property; thence North 19 degrees 48 minutes 40 seconds West, a distance of 116.36 feet, along the Easterly line of said easement; thence North 89 degrees 59 minutes 52 seconds East, a distance of 491.48 feet to the Point of Beginning. Containing 137,185.76 Square Feet or 3.15 Acres, more or less.

REFER TO SHEET 1 OF 2
FOR EXHIBIT DRAWING

REF. DWG:		LINE LIST NO.: 301A-1.1							
		SURVEYED AND PREPARED BY:							
2950 Shasta Way (541) 884-4666		Engineers & Planners & Surveyors Klamath Falls, Oregon 97603 FAX (541) 884-5335							
Division: ROCKY MOUNTAIN		Op. Area: ELKO							
State: OREGON		Co./Par.: KLAMATH							
Section: 11		Township: 41S Range: 12E							
Drt: JDB		Date: 7-20-09							
Chk: TLJ		Date: 7-20-09							
Appr: DEA		Date: 09-21-2010							
Project ID: 128576		Scale: 1" = 500'							
Filename: 301-AU-001.1									
<div>410/27/09JDBREVISED ALIGNMENT</div> <div>310/13/09JDBREVISED ALIGNMENT</div> <div>204/03/09JDBDRAWING SCALE</div> <div>13/13/09JDBREVISED ALIGNMENT</div> <table><thead><tr><th>NO.</th><th>DATE</th><th>BY</th><th>DESCRIPTION</th><th>PROJ. ID</th><th>APPR.</th></tr></thead><tbody></tbody></table>				NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.				
REVISIONS									
<div>LAND PLAT RUBY PIPELINE - LN 301A CROSSING VICTOR A. AND PENELOPE TERRY PROPERTY</div> <div>RUBY PIPELINE LLC</div> <div>301AU-001.1A</div> <div>Sheet: 2 of 2 Type: LANDDEV</div> <div>Rev. 0</div>									