



00155662201400070930030037

07/07/2014 08:28:32 AM

Fee: \$52.00

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, the **KLAMATH FALLS TEAMSTERS BUILDING ASSOCIATION**, "Grantor" hereby grants, conveys and warrants to the **AVISTA CORPORATION**, a Washington corporation "Grantee", a **15 foot by 20 foot** perpetual easement on, over, under, along and across the northwesterly corner of a parcel identified as Assessor's Account Number 1-098090-6 records of Klamath County, located in Section 32, Township 38 South, Range 9 East, W.M., Klamath County, State of Oregon.

1. **PURPOSE.** Grantee shall have the right to construct, reconstruct, operate, maintain, repair, and replace a **natural gas regulator station**, together with all necessary fixtures and appurtenances, "facilities", on, under, along and across the herein described property. **The legal description of the parcel and a map showing the 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 across 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. **RIGHT OF WAY CLEARING AND MAINTENANCE.** Grantee shall have the right to cut, trim and remove any and all brush, branches and trees, including danger trees, on the above described or adjoining property of the Grantor, that in the opinion of the Grantee, could interfere with the safe and reliable operation of Grantee's facilities as described herein, or that could interfere with the exercise of Grantee's rights as granted herein.
5. **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. 52341

6. **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.
7. **WARRANTY OF TITLE.** Grantor represents and warrants that Grantor has clear, merchantable fee simple title to the above described property and that Grantor knows of no claim, pending contract of sale or negotiation of a contract for sale of the above described property or the adjacent property.

DATED this 17 day of JUNE, 2014.

GRANTOR



CHARLES M. POOL

TITLE: VICE PRESIDENT

STATE OF OREGON)
) ss.
COUNTY OF JACKSON)

I certify that I know or have satisfactory evidence that **CHARLES M. POOL**, signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as **VICE PRESIDENT** 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 17 day of JUNE, 2014.





Signature

MARSHA R MUNDT

Print Name

Notary Public for the State of OREGON

Residing at 2071 BRADBURY, MED, OR 97504

My Commission expires AUGUST 26, 2016

52341

52341

Page 3 of 3