

2015-005162

Klamath County, Oregon



00169822201500051620070076

**RETURN ADDRESS**

WILLIAMS PACIFIC CONNECTOR GAS OPERATOR LLC  
3709 CITATION WAY, SUITE 102  
MEDFORD, OR 97504

05/20/2015 03:28:25 PM

Fee: \$72.00

**DOCUMENT TITLE(S):** CONSTRUCTION STIPULATIONS AGREEMENT

**Reference Numbers(s) of related documents**

**GRANTOR(S)**

GLENN M. HOWARD AND CHRISTINE HOWARD, AS TENANTS BY THE ENTIRETY

**GRANTEE(S)**

WILLIAMS PACIFIC CONNECTOR GAS OPERATOR LLC, A DELAWARE LIMITED LIABILITY COMPANY ON BEHALF OF PACIFIC CONNECTOR GAS PIPELINE L.P., A DELAWARE LIMITED PARTNERSHIP

**Legal Description**

THAT PART OR PORTION OF THE NORTH HALF OF THE NORTH HALF, LYING NORTHEASTERLY OF HIGHWAY 39 IN SECTION 20, TOWNSHIP 40 SOUTH, RANGE 10 EAST, WILLAMETTE MERIDIAN AND BEING MORE PARTICULARLY DESCRIBED ON EXHIBIT A1.

**Assessor's Property Tax Parcel/Account Number**

R98771

W2015OR 12005

## CONSTRUCTION STIPULATIONS AGREEMENT

For valuable consideration, Glenn M. Howard and Christine Howard, as tenants by the entirety ("Grantor") whose address is 9452 Matney Way, Klamath Falls, OR 97603, does grant to WILLIAMS PACIFIC CONNECTOR GAS OPERATOR, LLC, a Delaware limited liability company, on behalf of Pacific Connector Gas Pipeline, L.P., a Delaware limited partnership, located at P.O. Box 58900, Salt Lake City, Utah 84158 ("Grantee"), its agents, contractors and employees, the right and privilege of using a parcel of land for the purpose of constructing a 36" Natural Gas Pipeline ("construction workspace"), which property is situated in Klamath County, State of Oregon, and more particularly described below:

That part or portion of the NW4 NE4, the SW4 NE4, and all that portion of the NW4, the NE4 of the SW4, and NW4 SE4, lying Northeasterly of Highway 39 in Section 20, Township 40 South, Range 10 East, Willamette Meridian and being more particularly described on the attached Exhibit A1.

Also known by County Assessor Parcel Number(s): **R98771**

The approximate location of the construction workspace is designated on Exhibit "A" attached hereto and made a part of this agreement.

It is understood and agreed by Grantor and Grantee that said construction workspace is to be used in connection with the construction of Grantee's natural gas pipeline facilities. Upon completion of the above described work and final restoration of the construction workspace, Grantee's interest in said land will revert to Grantor, except as provided by the right-of-way and easement dated April 21, 2015.

Grantee agrees that within a reasonable time following the completion of its work and subject to weather and/or soil conditions, Grantee will as near as practicable restore said construction workspace to its original contours. Grantee will compensate Grantor for adequately documented damages, directly resulting from its work including timber, growing crops, pasture and livestock. Damages to other real or personal property will be repaired by Grantee or the Grantor will be compensated for such repairs. Specific conditions, which will apply only to the initial construction of facilities, are described in Exhibit "B" attached hereto and made a part of this agreement.

The term of this construction stipulation agreement begins upon execution and expires five years from that date.

Grantee will possess the above-described rights and such rights will be binding upon Grantor, its heirs, legal representatives and successors in title.

Grantee will not be held liable for damages of any kind that arise due to the negligent acts or willful misconduct of the Grantor, its successors, assigns, permittee, agents or contractors.

WITNESS THE EXECUTION THIS 7<sup>th</sup> day of May, 20 15

GRANTOR:

Glenn M. Howard  
Glenn M. Howard

GRANTOR:

Christine Howard  
Christine Howard

GRANTEE:

**Williams Pacific Connector Gas  
Operator LLC, on behalf of Pacific  
Connector Gas Pipeline L.P.**

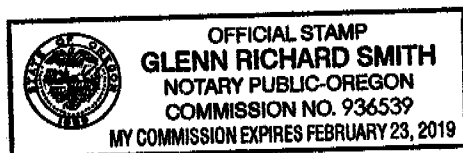
Peggie Labrum  
Peggie Labrum, Attorney in Fact

#### ACKNOWLEDGMENT

STATE OF OREGON )  
COUNTY OF Klamath ) ss.

BEFORE ME, the undersigned authority, on this 7<sup>th</sup> day of May, 2015, personally appeared Glenn M. Howard, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged to me that they signed the said instrument as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



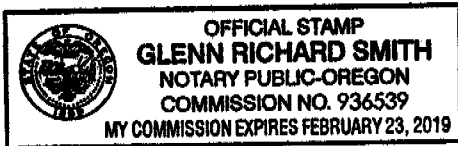
Glenn Richard Smith  
Notary Public in and for the  
State of Oregon  
My Commission Expires: February 23, 2019

ACKNOWLEDGMENT

STATE OF OREGON )  
COUNTY OF Klamath )ss.

BEFORE ME, the undersigned authority, on this 7<sup>th</sup> day of May, 2015, personally appeared CHRISTINE HOWARD, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged to me that they signed the said instrument as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

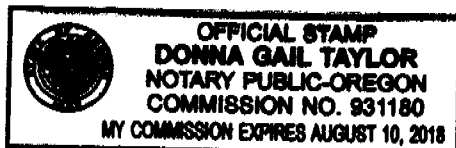


[Signature]  
Notary Public in and for the  
State of Oregon  
My Commission Expires: February 23, 2019

ACKNOWLEDGMENT ATTORNEY-IN-FACT

STATE OF OREGON )  
COUNTY OF Jackson )ss.

On the 8<sup>th</sup> day of May, 2015, Peggie Labrum personally appeared before me and being by me duly sworn, did say that she is the Attorney-in-Fact of Williams Pacific Connector Gas Operator LLC, on behalf of Pacific Connector Gas Pipeline L.P., and that the Agreement was signed on behalf of Williams Pacific Connector Gas Operator LLC, on behalf of Pacific Connector Gas Pipeline, L.P., and said to me that as such Attorney-in-Fact she executed the same.



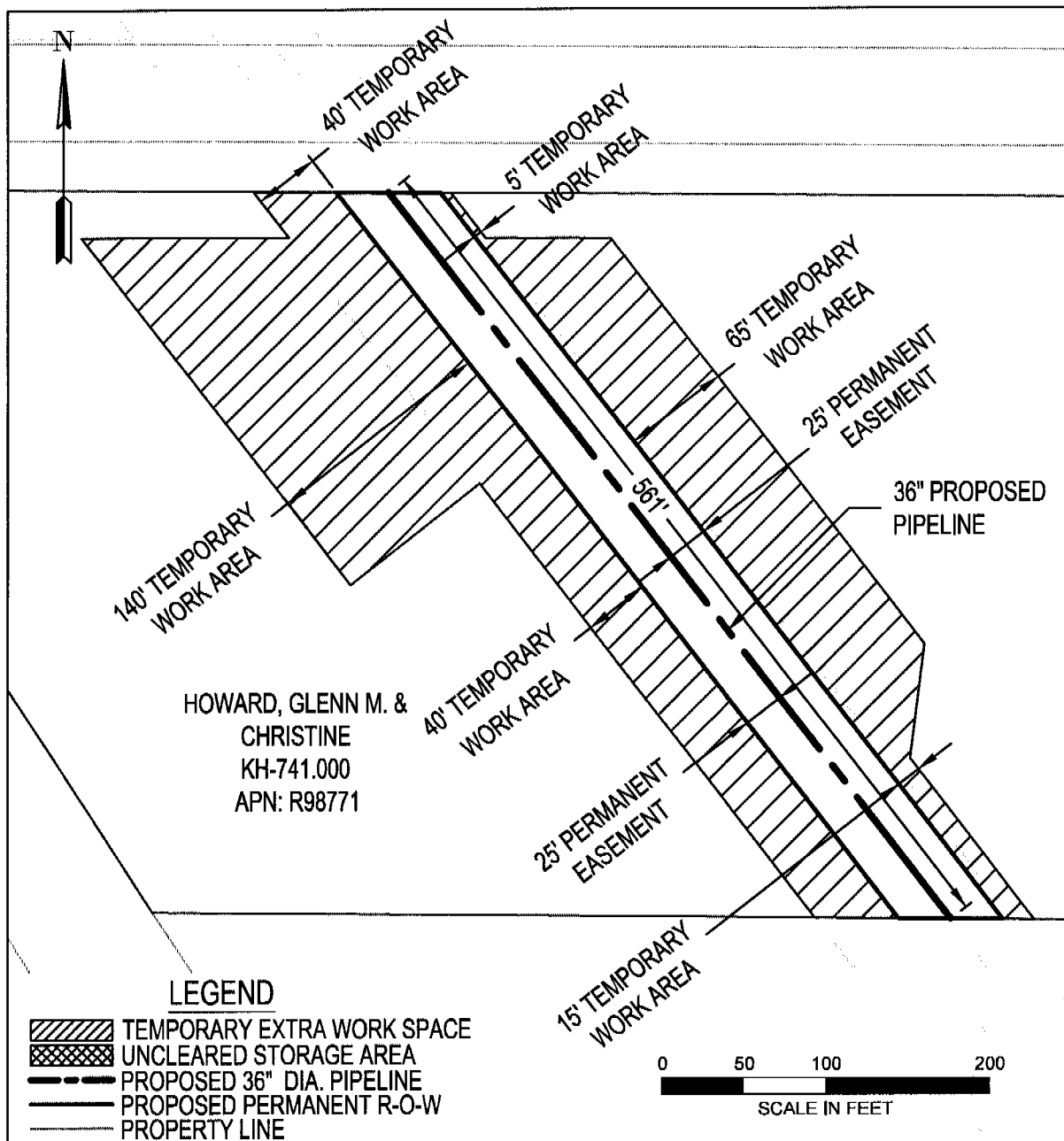
Donna Gail Taylor  
Notary Public in and for the  
State of Oregon  
My Commission Expires: August 10, 2018


## EXHIBIT "B"

### CONSTRUCTION STIPULATIONS

In accordance with the terms and conditions of this agreement, the Grantor and Grantee agree that the natural gas pipeline facilities will be constructed on Grantor's property in accordance with the following terms and conditions:

1. Grantee will notify Grantor, in writing, of the construction activity 30 days prior to start of survey and via phone or in writing, at least 30 days prior to the clearing/tree removal and construction preparation of the right of way on the Grantor's land.
2. Grantee will construct its pipeline and related facilities in compliance with engineering design and safety standards of the USDOT in force at the time of construction.
3. Grantee will remove all construction waste and debris after completion of construction activities.
4. Grantee will restore all access roads or driveways disturbed by construction to condition equal to or better than existed prior to construction. Restoration will include final grading where necessary.
5. Grantee will erect temporary fencing and one farm gate as necessary along the easterly side of the construction workspace right of way to control livestock and maintain the livestock a safe distance from the construction activities. The farm gate will be installed in a mutually agreed upon location.
6. Grantee will re-seed disturbed areas with a seed mix native to the area or as specified by the Grantor.
7. Grantee will pay Grantor for hay or feed if Grantor or Grantor's tenant has cattle on the property at the time of construction.



AREA TOTALS			EXHIBIT "A"	
	SQ. FT.	ACRES.		
PERM. R-O-W:	28029.68	0.643	PACIFIC CONNECTOR GAS PIPELINE, LP RIGHT-OF-WAY DETAIL Howard, Glenn M + Christine M.P. 209.16 TO M.P. 209.26 T-40 S, R-10 E, S-20 KLAMATH COUNTY, OREGON	
TEMP. EXTRA WORK AREA:	71324.2	1.637		
UNCLEARED STORAGE AREA:	0.0	0.0		
DRAWN:TAD DATE:03-03-2015				
CHECK:GMP DATE:03-13-2015				
APPRV: DATE:			DRAWING NO: 3430.33-X-KH-741.000	

## EXHIBIT A1

The NW1/4 of the NE1/4, the SW1/4 of the NE1/4, and all that portion of the NW1/4, the NE1/4 of the SW1/4, and the NW1/4 of the SE1/4, lying Northeasterly of the Northeasterly right of way line of Highway 39 in Section 20, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM A parcel of land situated in the Northwest one-quarter of Section 20, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8" iron pin marking the Northwest corner of said Section 20; thence North 89 degree 45' 24" East, along the North line of said Section 20, 2180.17 feet; thence South 00 degrees 14' 35" East, 500.00 feet; thence South 89 degrees 45' 24" West parallel to the North line of said Section 20, 1930.22 feet to a point on the Northeasterly right of way of Oregon State Highway 39; thence North 33 degrees 46' 40" West, along the Northeasterly right of way line of said Oregon State Highway 39, 452.68 feet to a point on the West line of said Section 20; thence North 00 degrees 10' 54" West along the West line of said Section 20, 122.67 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying within the Zuckerman Road right of way.

ALSO EXCEPTING THEREFROM the U.S.B.R. C-9 Lateral.

AND ALSO EXCEPTING THEREFROM any portion lying within the State Highway 39 right of way.