

2016-006975

Klamath County, Oregon

07/01/2016 09:23:01 AM

Fee: \$82.00

RECORDING COVER SHEET (Please Print or Type)

The information on this sheet is a reflection of the attached instrument for the purpose of meeting first page recording requirements, ORS 205.234.

If this cover page is included with your document, please add \$5.00 to the total recording fees.

AFTER RECORDING RETURN TO:

Pacific Connector Gas Pipeline

832 NW Highland Street

Roseburg, OR 97470

Ames Title WAS REQUESTED TO
RECORD THIS INSTRUMENT AS
AN ACCOMMODATION. IT HAS NOT
BEEN EXAMINED FOR SUFFICIENCY
OR ITS EFFECT UPON THE TITLE.

1) TITLE(S) OF THE TRANSACTION(S) ORS 205.234(a)

Construction Stipulations Agreement

2) DIRECT PARTY / GRANTOR(S) ORS 205.125(1)(b) and 205.160

Kerns Family Trust

9350 Hwy 66

Klamath Falls, OR 97601

3) INDIRECT PARTY / GRANTEE(S) ORS 205.125(1)(a) and 205.160

Williams Pacific Connector Gas Operator LLC

PO Box 58900

Salt Lake City, UT 84158-0900

4) TRUE AND ACTUAL CONSIDERATION

ORS 93.030(5) – Amount in dollars or other

\$ _____ ☒ Other

5) SEND TAX STATEMENTS TO:

No Change

6) SATISFACTION of ORDER or WARRANT

ORS 205.125(1)(e)

CHECK ONE: ☐ FULL
(If applicable) ☐ PARTIAL

**7) The amount of the monetary
obligation imposed by the order
or warrant. ORS 205.125(1)(c)**

\$ _____

**8) If this instrument is being Re-Recorded, complete the following statement, in
accordance with ORS 205.244: "RERECORDED TO CORRECT _____**

PREVIOUSLY RECORDED IN
BOOK _____ AND PAGE _____, OR AS FEE NUMBER _____."

Ames Title
CK 16024

CONSTRUCTION STIPULATIONS AGREEMENT

For valuable consideration, E. Martin Kerns and Shirley Kerns, Trustees under the Kerns Family Trust dated July 29, 2010 and any amendments thereto ("Grantor") whose address is 9350 Hwy 66, Klamath Falls, OR 97601, 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 tract or portion of lying in the NE4 of Section 33, Township 39 South, Range 8 East of the Willamette Meridian and being more particularly described on the attached Exhibit "A-1".

Also known by County Assessor Parcel Number(s): **R492149**

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 NA.

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 and is more clearly defined in the Damage Agreement dated June 4, 2016. 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.

W2016 OR 12113

A
Ames Title WAS REQUESTED TO
RECORD THIS INSTRUMENT AS
AN ACCOMMODATION. IT HAS NOT
BEEN EXAMINED FOR SUFFICIENCY
OR ITS EFFECT UPON THE TITLE.

WITNESS THE EXECUTION THIS 4th day of JUNE, 20 16

GRANTOR:

E. Martin Kerns
E. Martin Kerns, Trustee

GRANTOR:

Shirley Kerns
Shirley Kerns, Trustee

GRANTEE:

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

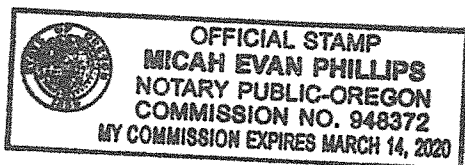
Peggie Labrum
Peggie Labrum, Attorney in Fact

ACKNOWLEDGMENT

STATE OF OREGON)
) ss.
COUNTY OF KLAMATH)

BEFORE ME, the undersigned authority, on this 4th day of JUNE, 2016,
personally appeared E. MARTIN KERNS as
TRUSTEE of THE KERNS FAMILY TRUST 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.



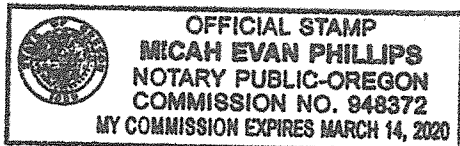
[Signature]
Notary Public in and for the
State of Oregon
My Commission Expires: 3/14/2020

ACKNOWLEDGMENT

STATE OF OREGON)
)ss.
COUNTY OF KLAMATH)

BEFORE ME, the undersigned authority, on this 4th day of JUNE, 2016, personally appeared SHIRLEY KOLUS as TRUSTEE of THE KERNS FAMILY TRUST 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.

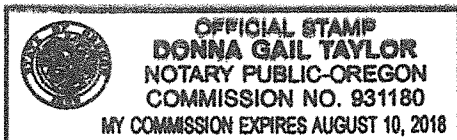


[Signature]
Notary Public in and for the
State of Oregon
My Commission Expires: 3/14/2020

ACKNOWLEDGMENT ATTORNEY-IN-FACT

STATE OF OREGON)
)ss.
COUNTY OF Jackson)

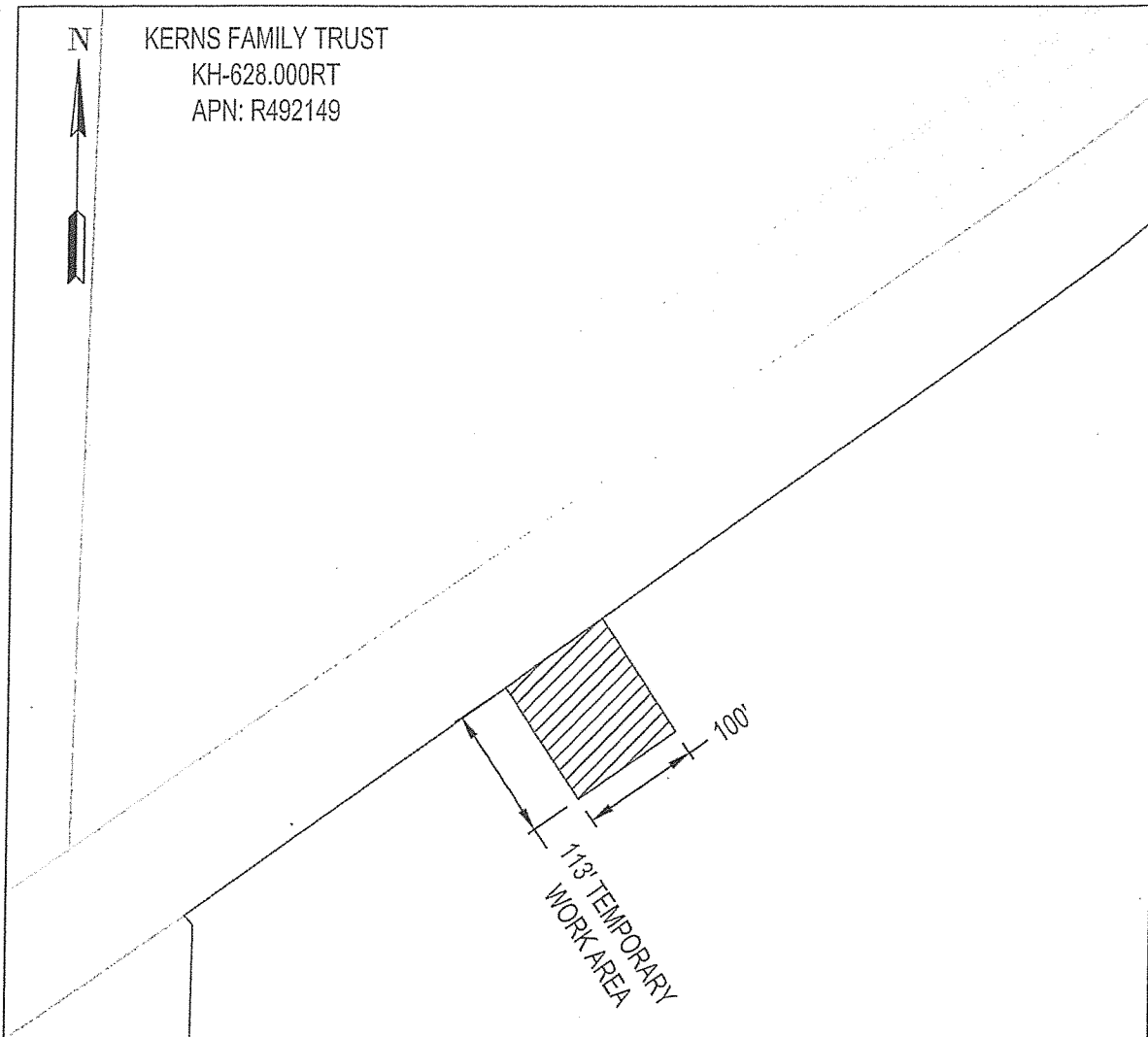
On the 28th day of June, 2016, Peggie Labrum personally appeared before me and being by me duly sworn, did say that she is the Attorney-in-Fact of Williams Pacific Connector Gas Operator LLC, on behalf of Pacific Connector Gas Pipeline L.P., and that the Agreement was signed on behalf of Williams Pacific 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.



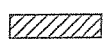

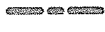

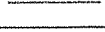
[Signature]
Notary Public in and for the
State of Oregon
My Commission Expires: August 10, 2018

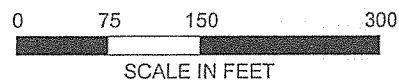



KERNS FAMILY TRUST
KH-628.000RT
APN: R492149



LEGEND

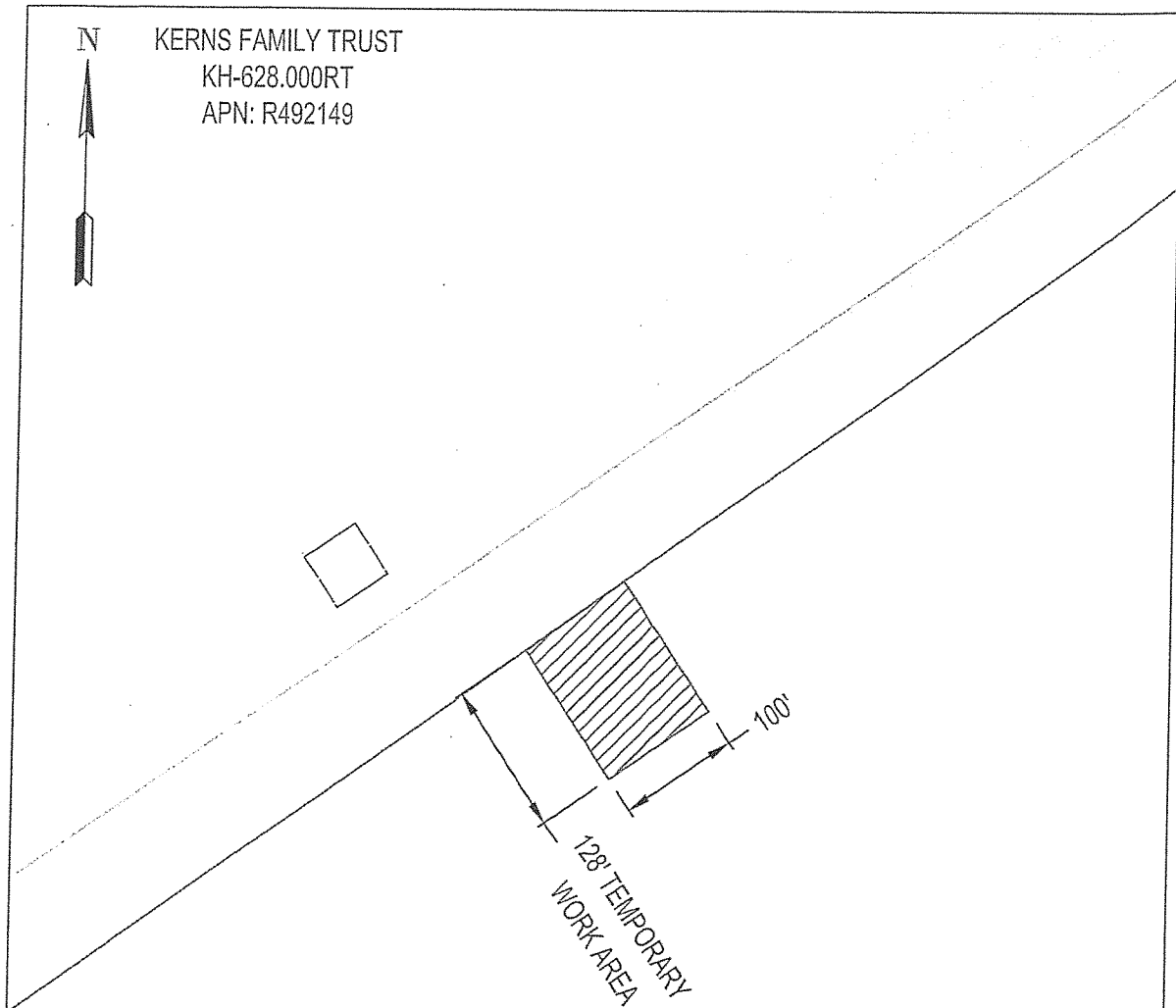
-  TEMPORARY EXTRA WORK SPACE
-  UNCLEARED STORAGE AREA
-  PROPOSED 36" DIA. PIPELINE
-  PROPOSED PERMANENT R-O-W
-  PROPERTY LINE



AREA TOTALS			REV 0	EXHIBIT "A"	
	SQ. FT.	ACRES.			
PERM. R-O-W:	0	0	PACIFIC CONNECTOR GAS PIPELINE, LP RIGHT-OF-WAY DETAIL Kerns Family Trust M.P. 193.1 TO M.P. 193.5 T-39 S, R-8 E, S-33 KLAMATH COUNTY, OREGON		
TEMP. EXTRA WORK AREA:	38733.03	0.889			
UNCLEARED STORAGE AREA:	0.00	0.00			
DRAWN:KDS DATE:06-05-2015			DRAWING NO: 3430.33-X-KH-628.000RT (1)		
CHECK:GMP DATE:06-12-2015					
APPRV: BAB DATE:12-21-2015					

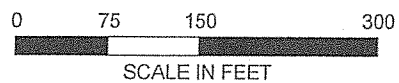



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LEGEND

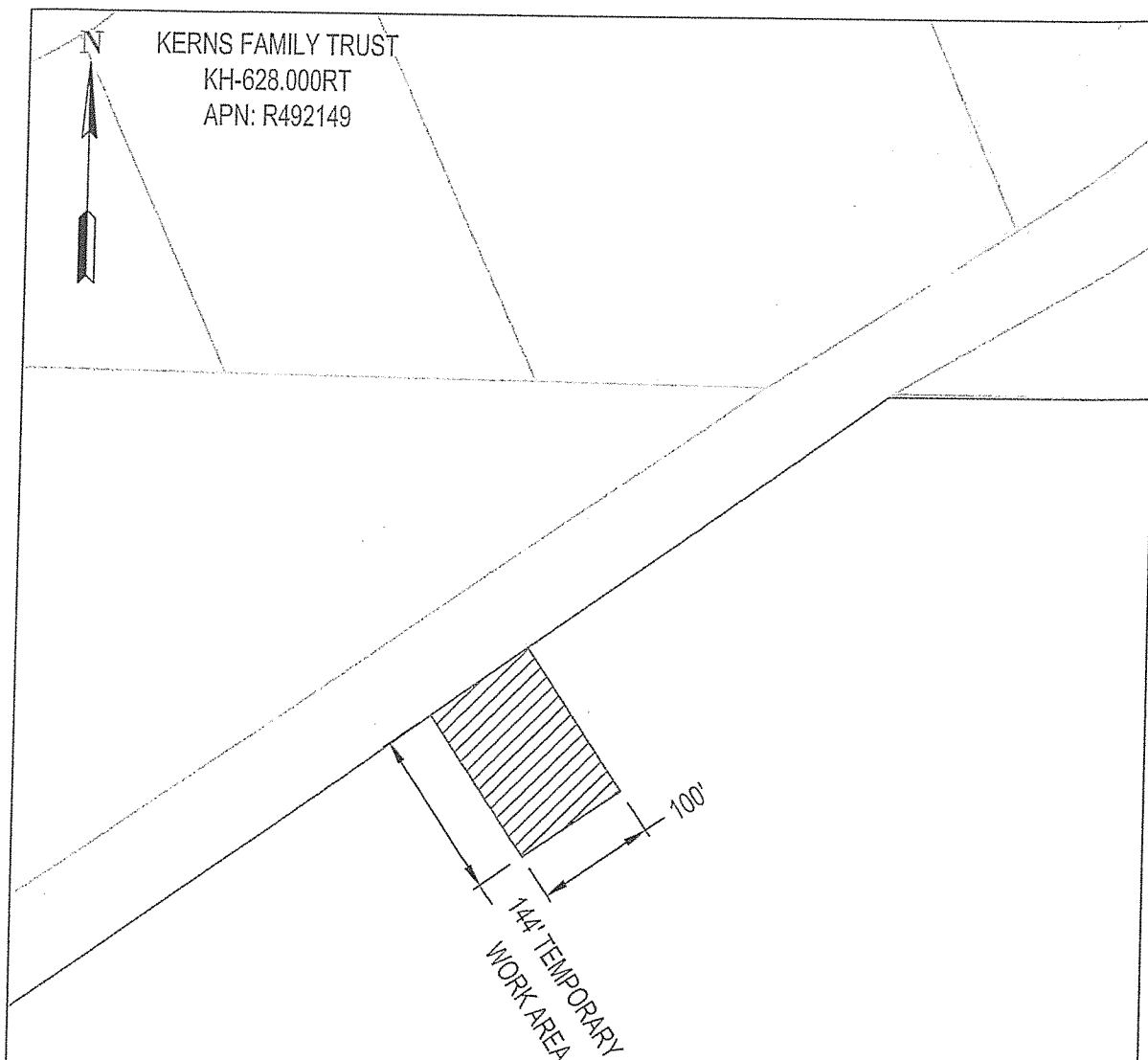
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




AREA TOTALS			REV 0	EXHIBIT "A"	
	SQ. FT.	ACRES.			
PERM. R-O-W:	0	0	PACIFIC CONNECTOR GAS PIPELINE, LP RIGHT-OF-WAY DETAIL Kerns Family Trust M.P. 193.1 TO M.P. 193.5 T-39 S, R-8 E, S-33 KLAMATH COUNTY, OREGON		
TEMP. EXTRA WORK AREA:	38733.03	0.889			
UNCLEARED STORAGE AREA:	0.00	0.00			
DRAWN: KDS DATE: 06-05-2015			DRAWING NO: 3430.33-X-KH-628.000RT (2)		
CHECK: GMP DATE: 06-12-2015					
APPRV: BAB DATE: 12-21-2015					

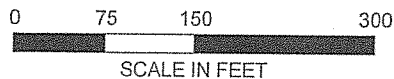


KERNS FAMILY TRUST
KH-628.000RT
APN: R492149



LEGEND

-  TEMPORARY EXTRA WORK SPACE
-  UNCLEARED STORAGE AREA
-  PROPOSED 36" DIA. PIPELINE
-  PROPOSED PERMANENT R-O-W
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AREA TOTALS			REV 0	EXHIBIT "A"	
	SQ. FT.	ACRES.			
PERM. R-O-W:	0	0	PACIFIC CONNECTOR GAS PIPELINE, LP RIGHT-OF-WAY DETAIL Kerns Family Trust M.P. 193.1 TO M.P. 193.5 T-39 S, R-8 E, S-33 KLAMATH COUNTY, OREGON		
TEMP. EXTRA WORK AREA:	38733.03	0.889			
UNCLEARED STORAGE AREA:	0.00	0.00			
DRAWN:KDS DATE:06-05-2015			DRAWING NO: 3430.33-X-KH-628.000RT (3)		
CHECK:GMP DATE:06-12-2015					
APPRV: BAB DATE:12-21-2015					

EXHIBIT "A-1"

All that portion of the NE1/4 of Section 33, Township 39 South, Range 8 E.W. M., lying South of the Weyerhaeuser Timber Company Right of Way, as described in Deeds 78 page 596 and in Deed 82, page 329, Records of Klamath County, Oregon.

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 10 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.