

160027AM

After recording, return to:  
Avista Corporation  
Real Estate Department  
P.O. Box 3727  
Spokane, Washington 99220-3727

2017-005559  
Klamath County, Oregon  
05/19/2017 03:39:01 PM  
Fee: \$57.00

**UNDERGROUND NATURAL GAS LINE**  
**RIGHT OF WAY EASEMENT**

For valuable consideration, the receipt of which is hereby acknowledged, **QUENTIN V. LEBKOWSKY II and KRISTI L. LEBKOWSKY** (collectively "Grantor"), hereinafter grant, convey, and warrant to the **Avista Corporation**, a Washington corporation ("Grantee"), a perpetual underground easement along and across real property identified as Assessor's parcel id number R892598 map and tax lot number R3910 001AB 01100 000 legally described on **Exhibit A** hereto (the "Property").

1. **PURPOSE**. Grantee shall have the right to construct, reconstruct, operate, maintain, repair, relocate and replace **an underground natural gas line**, together with all necessary fixtures and appurtenances (collectively, "Facilities"), on, over, under, along and across the Property. The easement shall extend 5 feet on each side of the center line of the Facilities, the approximate location of which is shown on the attached map marked **Exhibit B** (the Easement Area"), and by this reference is incorporated into this easement.

2. **ACCESS AND DAMAGE**. Grantee shall have access over and across the above described property and the adjoining property of Grantor for the purpose of the installation, repair and maintenance of said facilities, provided the Grantee repairs damages or compensates Grantor for any damage to said properties as a result of such access and repair and maintenance.

3. **CLEARING AND MAINTENANCE**. Grantee shall have the right to cut, trim, and remove any brush, branches, landscaping and trees, including danger trees within the Easement Area that in the opinion of the Grantee, could interfere with the safe and reliable operation of Grantee's Facilities or that could interfere with the exercise of Grantee's rights as granted herein.

4. **GRANTOR'S USE OF THE PROPERTY**. Grantor reserves the right to use and enjoy the Property and the Easement Area, to the extent that such use does not conflict or interfere with the Grantee's rights herein. Grantor shall not construct, place or maintain any building, structure, fence or landscaping

within the Easement Area that may interfere with Grantee's rights or with the safe operation of the Facilities or that are not in compliance with all safety and building codes, regulations and laws.

5. **INDEMNITY.** Grantee agrees to indemnify and hold harmless Grantors, its employees, agents, guests and invitees from damage to the property and personal injury to the extent caused by Grantee's negligence or willful misconduct in the exercise of its rights herein, provided that Grantee shall not be liable for property damage or personal injury that is caused by the acts or omissions of Grantor, its employees, agents, guests and invitees or any other person.

6. **SUCCESSORS AND ASSIGNS.** The rights granted in this easement run with the Property and shall be binding upon and benefit the parties and their respective successors, heirs and assigns.

IN WITNESS WHEREOF, the Grantors have caused this Easement to be executed with the intent that it be effective as of this 14 day of April, 2017.

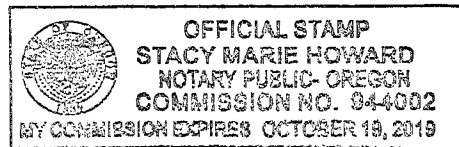
GRANTOR:

Kristi L. Lebkowsky  
KRISTI L. LEBKOWSKY

GRANTOR:

Quentin V. Lebkowsky II  
QUENTIN V. LEBKOWSKY II

STATE OF OREGON )  
 ) ss.  
County of Klamath Falls )

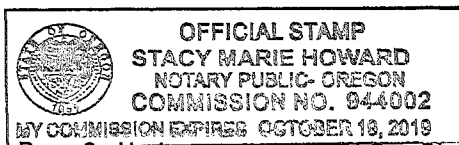


This instrument was acknowledged before me on April 14, 2017, by KRISTI L. LEBKOWSKY.

Stacy Marie Howard  
Notary Public for the State of Oregon  
My Commission Expires: 10-19-19

STATE OF OREGON )  
 ) ss.  
County of Klamath Falls )

This instrument was acknowledged before me on April 14, 2017, by QUENTIN V. LEBKOWSKY II.



Stacy Marie Howard  
Notary Public for the State of Oregon  
My Commission Expires: 10-19-19

**Exhibit A**

**LEGAL DESCRIPTION OF PROPERTY**

Lot 8, Tract 1431, according to the official plat thereof on file in the office of the County Clerk,  
Klamath County, Oregon.

**Exhibit B**

**IDENTIFICATION OF EASEMENT AREA**

A 10 foot wide strip located in the southerly portion of the north 30 feet of Lot 8, Tract 1431, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

