

2019-008764

Klamath County, Oregon



08/02/2019 10:31:18 AM

Fee: \$92.00

Return Address:

Avista Corporation
Real Estate Department MSC-25
P.O. Box 3727
Spokane, Washington 99220-3727

NATURAL GAS REGULATOR STATION
RIGHT OF WAY EASEMENT

For the sum of Fifteen thousand dollars (\$15,000), the receipt of which is hereby acknowledged, **BENNIE J. WAMPLER**, ("Grantor") hereby grants, conveys and warrants to **AVISTA CORPORATION**, a Washington corporation ("Grantee"), a perpetual non-exclusive easement on, over, under, along and across the south 30 feet of the real property described as Parcel 2 of Partition #50-94, reserving therefrom the east 8 feet for an irrigation drainage ditch, also identified as Assessor's Number 875593 and map ID 3910E19B tax lot 602, located in the NW¼ of Section 19, Township 39 South, Range 10 East, W.M., Klamath County, State of Oregon, (the "Property"), and by this reference is incorporated into this easement.

1. **PURPOSE.** Grantee shall have the right to construct, reconstruct, operate, maintain, upgrade, repair, remove, and replace a natural gas regulator station together with all related appurtenances ("Facilities") on, over, under, along and across the Property. The approximate location of which is shown on the attached map marked **EXHIBIT "A"** (the "Easement Area"), and by this reference is incorporated into this easement.
2. **ACCESS.** Grantee shall have access over and across the above described property and 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. **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, the Property and on Grantor's adjoining property 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, 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 Grantor, its employees, agents, guests and invitees from damage to 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. **GRANTOR'S WARRANTY.** Grantor warrants and represents that Grantor has the unrestricted right to grant this easement and the rights described here.

Avista Document No. _____

53668

7. **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.

DATED this 26 day of June, 2019.

GRANTOR(S)

Bennie J. Wampler
BENNIE J. WAMPLER

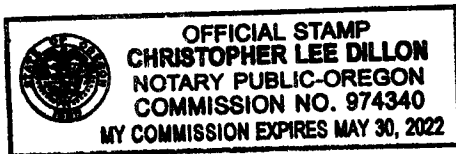
GRANTEE

Avista Corporation

By: [Signature]
Rod Price
Manager, Avista Real Estate
Its: _____

STATE OF OREGON)
) ss.
COUNTY OF KLAMATH)

On this day personally appeared before me **BENNIE J. WAMPLER** the individual described in and who executed the within and forgoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed for the purposes therein mentioned.



[Signature]
Signature

Chris Dillon
Print Name

Notary Public for the State of Oregon

Residing at 10751 Vincent

My Commission Expires 5-30-22

53668

EXHIBIT "A" the Easement Area

