

2021-005980

Klamath County, Oregon



00278243202100059800030036

Return Address:

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

04/20/2021 11:27:04 AM

Fee: \$92.00

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

For the sum of Mutual Benefits, the receipt of which is hereby acknowledged, **LARRY TRIPPETT and MARGARET TRIPPETT, Trustees or the Successor Trustees of the TRIPPETT FAMILY 1999 TRUST**, ("Grantor") hereby grants, conveys and warrants to **AVISTA CORPORATION**, a Washington corporation ("Grantee"), a perpetual non-exclusive 5 foot wide easement on, over, under, along and across the northerly 5 feet of Lot 4, Block 45, Hot Springs Addition to Klamath Falls, also identified as Assessor Property ID 306421 and map ID 3809028CA tax lot 10100 located in the NE¼ of the SW¼ of Section 28, Township 38 South, Range 9 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 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, 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. \_\_\_\_\_

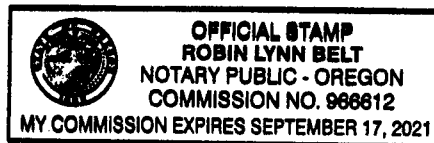
7. **SUCCESSORS AND ASSIGNS.** The rights granted in this easement run with the Property and shall be binding upon and benefit the parties and their respective successors, heirs and assigns.

DATED this 22ND day of OCTOBER, 2020.

GRANTOR(S)

Larry Trippett Trustee  
LARRY TRIPPET, TRUSTEE

Margaret Trippett Trustee  
MARGARET TRIPPET, TRUSTEE



GRANTEE  
Avista Corporation

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF OREGON                     )  
  ) ss.  
COUNTY OF KLAMATH             )

I certify that I know or have satisfactory evidence that **LARRY TRIPPETT and MARGARET TRIPPETT**, signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as **TRUSTEE**, of the **TRIPPETT FAMILY 1999 TRUST**, to be the free and voluntary act and deed for such party for the purposes therein mentioned.

Robin Lynn Belt  
Signature

**ROBIN LYNN BELT**  
Print Name

Notary Public for the State of OREGON

Residing at 3737 SHASTA WAY KLAMATH FALLS, OR

My Commission Expires 09/17/2021

**EXHIBIT A**  
**Easement Area**

