

2022-004461

Klamath County, Oregon

04/07/2022 03:21:01 PM

Fee: \$97.00

Return Address:

Avista Corporation

Real Estate Department MSC-25

P.O. Box 3727

Spokane, Washington 99220-3727

GAS LINE RIGHT OF WAY EASEMENT

For Mutual Benefits and Good Consideration, the receipt of which is hereby acknowledged, **Wilsonart LLC**, a Oregon company, ("Grantor") hereby grants, conveys and warrants to **AVISTA CORPORATION**, a Washington corporation ("Grantee"), a perpetual non-exclusive easement on, over, under, along and across real property identified as Assessor Parcel # R-3909-01600-00900-000 located in the Southeast Quarter of Section 16, Township 39 South, Range 09 East, Willamette Meridian., Klamath County, State of Oregon, legally described in **EXHIBIT "A"** (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, relocate and replace the underground gas pipelines and communication lines together with all related appurtenances ("Facilities") on, over, under, along and across the property described herein in **EXHIBIT A**. **The 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 the right of access on, over and across the Easement Area and the adjoining property of the Grantor for the purpose of the installation, repair and maintenance of said facilities, provided the Grantee repairs any damage, makes reasonable attempt to restore the affected area to its original or natural state, as close as reasonably possible or compensates the Grantor for any damage to said properties as a result of such access, installation, 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.

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 6th day of April, 2022

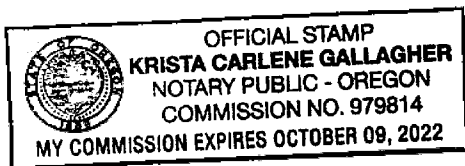
GRANTOR: Wilsonart LLC

Dan Case
Signature of: Dan Case

STATE OF OREGON)

) ss.
COUNTY OF JACKSON) Klamath KG 4/6/22

I certify that I know or have satisfactory evidence that **Dan Case** is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as this to be the free and voluntary act of such party for the uses and purposes stated in the instrument.



Krista A
Signature
Krista Gallagher
Print Name

Notary Public for the State of Oregon

Residing at Klamath Falls

My Commission Expires October 09, 2022

GRANTEE
Avista Corporation

By: Conor Lyne

Its: Real Estate

EXHIBIT A
Legal Description
Of Easement Area

A tract of land Situated in the SE1/4 of Section 16, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

A parcel of land situated in the SE1/4 of the SE1/4 of Section 16, Township 39 South Range 09 East of the Willamette Meridian, Klamath County, Oregon. Being more particularly described as follows:

Commencing at the southeast corner of said Section 16, thence North 42°03'28" West, 1089.99 feet to a point on the northerly right of way line of the 1-G Drain as described in Deed Volume 26, Page 321 as filed at the Klamath County Clerk's Office, said point being the TRUE POINT OF BEGINNING; thence leaving said northerly right of way line and along the westerly line of that easement described in

Instrument Number 2007-011239, North 33°33'50" West, 437.92 feet; thence along the southerly line of that easement described in Instrument Number 2019-001981, South 56°26'10" West, 15.00 feet; thence along the westerly line of said Instrument Number 2019-001981, North 33°33'50" West, 100.00 feet; thence along the northerly line of said Instrument Number 2019-001981, North 56°26'10" East, 15.00 feet; thence along the westerly line of that easement described in Instrument Number 2007-011239, North 33°33'50" West, 10.21 feet to the Adjusted Line as described in Instrument Number 2021-014015; thence along said Adjusted Line, South 82°34'47" West, 128.11 feet; thence leaving said line, South 33°33'50" East, 330.00 feet; thence North 56°26'10" East, 100.00 feet; thence South 33°33'50" East, 277.40 feet to the above mention northerly line of the 1-G-Drain; thence along said northerly line North 45°48'09" East, 15.26 to the point of beginning.

Containing 0.86 acres, more or less.

EXHIBIT B Easement Area

