

2010.84

7/20/00

RIGHT OF WAY CONTRACT

For and in consideration of the sum of Ten (\$10.00) Dollars, and other good and valuable consideration, the receipt of which is hereby acknowledged, WEST TACOMA NEWSPRINT CO., a corporation, whose address is Box 8, Steilacoom, Washington, hereinafter referred to as Grantor, does hereby grant and convey unto CASCADE NATURAL GAS CORPORATION, its successors and assigns, hereinafter referred to as Grantee, the right to construct, maintain, inspect, operate, protect, repair, replace, alter and remove a single four inch pipeline for the transportation of oil, gas and products thereof, on and over a right of way fifty feet in width, and to be located as now surveyed and marked on the ground, and generally located as outlined on the attached map identified as Exhibit "A", and crossing the SW 1/4 of SW 1/4, the NW 1/4 of the SW 1/4, the NE 1/4 of the SW 1/4 and the SE 1/4 of the NW 1/4, all in Section 7, Township 22 North, Range 1 West of W. M. in Mason County, State of Washington, together with the right of ingress and egress to and from said pipeline for the purposes aforesaid.

In further consideration of the grant herein made, it is agreed as follows:

1. In laying the said pipeline the Grantee shall clear the full fifty feet of the said right of way, and all trees within said strip are to be completely limbed and bucked to a four inch minimum top diameter and decked along the right of way; said trees shall remain the property of Grantor, and shall have the right to remove same from said right of way.
2. All debris resulting from the land clearing of said right of way shall be piled and burned by Grantee to the complete satisfaction

of Grantor and of the Department of Natural Resources of the State of Washington, and Grantee shall obtain from said department a Certificate of Clearance.

3. The said pipeline shall be buried at least four feet below the surface.

4. Grantee shall pay to Grantor (in addition to the consideration paid upon the execution hereof) for any damage sustained to standing trees adjacent to the right of way and attributable to the clearing thereof and in addition shall pay to Grantor for any wind-felled trees along said right of way because of exposure, and occurring within eight months of the completion of the clearing of said right of way, at the rate of Ten dollars (\$10.00) per cord (90 cu. ft.).

5. Grantor shall have the right to use and enjoy the above described premises, except as to the rights herein granted; and Grantor agrees not to build, create or construct or to permit to be built, created or constructed any obstruction, building, engineering works, or other structures over or that would interfere with said pipeline or Grantee's rights hereunder. Grantee hereby agrees to pay any damages which may arise to growing crops, pasturage, timber, fences or buildings of said Grantor from the exercise of the rights herein granted and occurring subsequent to the initial installation of said pipeline; said damages, if not mutually agreed upon, shall be ascertained and determined by three disinterested persons, one to be appointed by the undersigned Grantor, its successors, or assigns, one to be appointed by the Grantee, its successors, or assigns, and the third by the two so appointed, and the verdict of each of said three persons shall be final and conclusive.

6. The Grantee shall have the right to assign this grant in whole or in part including, without limitation, the right of assignment under

201084

corporation, and acknowledged the within and foregoing instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein contained, and on oath stated that he is authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



James
Notary Public in and for the State of
Washington, residing at James

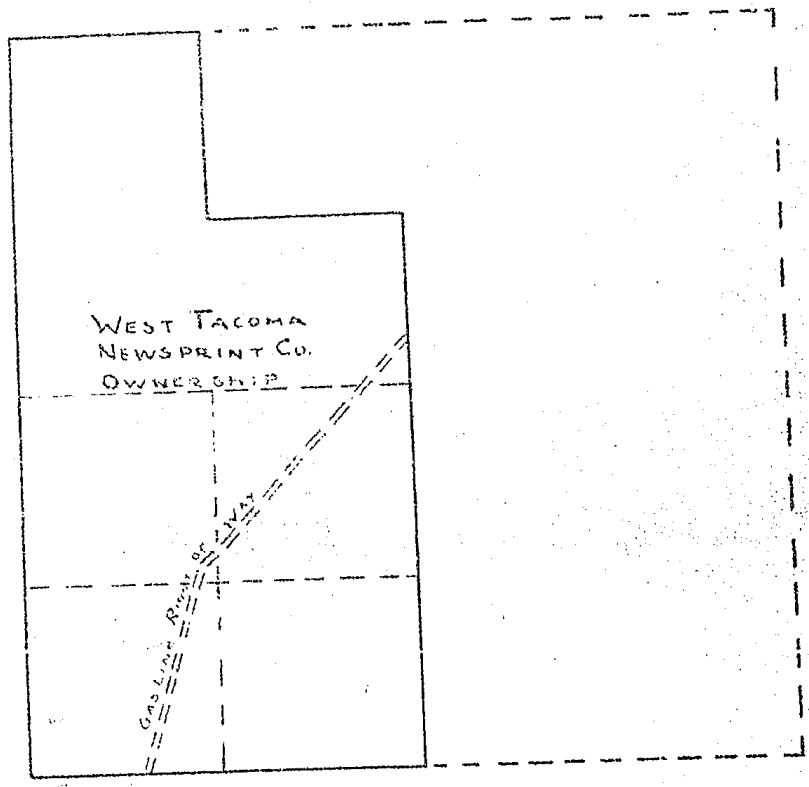
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RECORDED / FILED
APR 10 1963
CLATSOP COUNTY
CL Nolan Mason

Indexed EF
Recorded _____
Copied _____
Filed _____

REQUEST OF:
Cascade Natural
Gas Co.

EXHIBIT "A"
Section 7, T 22 N, R 1 W., W.M.
Wasco County, Washington



780-26

REEL 10 FRAME 760