

RESERVATION EASEMENT Language

3/18/2016

Re: TRACT 1 Along the Northern Boundary
Buried Pipeline

RESERVING UNTO GRANTOR ("FODE") a perpetual easement on the real estate hereinafter described to construct, maintain and repair buried underground pipeline for the purpose of conveying water under and through the lands herein described together with the right to excavate and refill ditches and trenches for the location of such pipeline and the further right to remove undergrowth and other obstructions interfering with the location construction and maintenance of said pipeline, TOGETHER WITH rights of ingress and egress to construct, repair and maintain the pipeline.

The easement shall be 30ft. in width along the Northern boundary of the following property:

Tract 1 Property:

The Northwest Quarter of Section 2, Township 19 North, Range 29 E.W.M., records of Grant County, Washington.

This Easement is for the benefit of and appurtenant to any land owned and/or leased by GRANTOR ("FODE") and/or FODE LAND COMPANY, LLC and/or their assigns or successors in interest located in Sections 1, 2 or 3, Township 19 North, Range 29 E.W.M., records of Grant County, Washington.

GRANTOR ("FODE") shall at his cost and expense repair and maintain in proper and substantial and workmanlike manner the buried pipeline. GRANTOR ("FODE"), his heirs or assigns, will pay for any damages done to the crops of the owner of Tract 1 or any tenant or licensee of the owner of Tract 1 during the construction, installation, maintenance or repair of the buried pipeline and will restore the surface of the ground in a good as condition when entered upon by GRANTOR ("FODE"). The owner of Tract 1 shall have the right to use the surface or subsoil for any purpose not incompatible with the installation and existence of the buried pipeline.

In the event that the buried pipeline is not installed on or before March 24, 2021, this reserved easement shall terminate and be of no further force or effect.