

90-07380

204 * 2386

AGREEMENT RE LINE EXTENSIONS

*116070-28

FOR SUBDIVISION OR OTHER DIVISIONS OF LAND

\$15 - THIS IS AN AGREEMENT between MIDSTATE ELECTRIC COOPERATIVE, INC., hereinafter called the "Cooperative", and STAGE STOP, INC., hereinafter called "Developer", and is dated this 1st day of February 1990.

RECITALS

A. Developer has subdivided or otherwise divided into several parcels that certain land which is more particularly described in Exhibit "A" which is attached hereto.

B. Developer has provided the Cooperative with satisfactory proof that he has met and complied with all rules, regulations and conditions required by Federal, State, County and other applicable laws, rules and regulations.

C. Developer has granted or will obtain all right-of-way easements and cause the same to be notarized and recorded. The right-of-way easements shall include a final plat map, indicating said dedicated rights-of-way for utility purposes, along with diagrams or other writings containing directions, locations, specifications, and other information concerning the land and the parcels into which it is divided. This is required by the Cooperative to properly lay out, construct and maintain a line extension to serve the plat with electrical energy.

D. Contractor has removed trees, brush and other obstructions along necessary power line routes as requested by the Cooperative.

E. Developer has requested that the Cooperative design and construct the facilities necessary for the above mentioned purpose, and Midstate is willing to do so on the basis hereinafter mentioned. The work to be done by the Cooperative in the various stages of Developer's project is set for in Paragraph I of this Agreement.

AGREEMENT

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants, conditions and payments hereinset forth, the parties agree as follows:

I. The Cooperative agrees to design and construct the above mentioned facilities to serve the plat through accomplishing the following work and in accordance with the following estimated cost and approximate time schedule, to wit:
To Construct Backbone Electrical System, Single Phase, 120/240 Volt-Underground in Block 3, Deschutes County, Section 23; Township River Meadows Subdivision, 20; Range 10. To be built within 90 days after receipt of this contract & necessary monies.

II. The Cooperative has estimated that the cost of doing the work specified in Paragraph I is in the sum of \$ 45,922.91. Developer agrees to pay that sum to the Cooperative immediately upon the execution of this agreement and, in any event, prior to the commencement of construction by the Cooperative.

Upon completion by the Cooperative of the construction work, the Cooperative will make a specific determination of the cost thereof. If the actual cost is in an amount less than the amount paid by Developer, the difference will be refunded by the Cooperative to him. To the contrary, if the actual cost is in excess of the estimated amount paid, then, and in such event, the Developer will pay the excess to the Cooperative upon demand and billing.

III. The "backbone" of the line extension shall be constructed on roadways dedicated for that and other purposes or upon proper easements provided by Developer. This system shall be and remain the sole property of the Cooperative.

a replat of a portion of the Fifth, Sixth, and Eighth Additions to Stage Stop Meadows

DESCHUTES COUNTY WILL DO
P. O. BOX 323
SEASIDE, OREGON 97138

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IV. Upon completion of the work by the Cooperative, it will receive applications for service from individuals owning property or having an interest in the project of the Developer. Thereupon, the Cooperative will provide such service through the backbone system under approved Cooperative policies.

Stage Stop, Inc. (Developer)
BY: [Signature] / Vice President
G. Todd Norvell Title
ATTEST: Brian S. Thompson

SUBSCRIBED and sworn to before me: On this 1st day of February 19 90

Name: G. Todd Norvell
personally appeared before me.

STATE OF OREGON

COUNTY OF MULTNOMAH

Brian S. Thompson
Brian S. Thompson
NOTARY PUBLIC FOR OREGON

My Commission Expires: 4-13-92

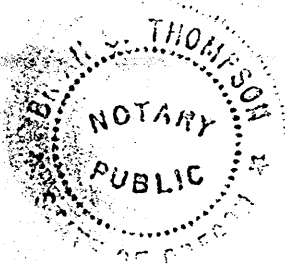


EXHIBIT A

204 - 2388

Block 3, a replat of a portion of the Fifth, Sixth and Eighth
Additions to Stage Stop Meadows, Deschutes County, Section 23;
Township 20; Range 10.

STATE OF OREGON)
COUNTY OF DESCHUTES) SS.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND
RECORDER OF CONVEYANCES, IN AND FOR SAID
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WAS RECORDED THIS DAY:

90 MAR 20 PM 2:43

MARY SUE PENHOLLOW
COUNTY CLERK

BY. P. Leek DEPUTY
NO. 90-07380 FEE 1.50
DESCHUTES COUNTY OFFICIAL RECORDS