

11802

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PNB # 82097083

CONSENT AGREEMENT

This Agreement is entered into this 6 day of April 1982, 1982, by and between Pacific Northwest Bell Telephone Company, successor in interest to Pacific Telephone and Telegraph Company, hereinafter called CONSENTER and the United States of America, by and through the Forest Service, USDA, hereinafter called GRANTEE.

WHEREAS, the CONSENTER, has an interest in the real property hereinafter described by virtue of a prior easement dated the 16th day of March, 1931, as referenced in United States Department of the Interior Deed to Restricted Indian Lands recorded in Book 289, Page 501, Deed Records of Klamath County, State of Oregon, which easement traverses the following described real property situated in the County of Klamath, State of Oregon, to wit:

The S½W½SE¼ of Section 33, Township 34 South, Range 7 East, of the Willamette Meridian, Klamath County, Oregon, lying Westerly of Highway 97.

EXCEPTING THEREFROM the S½S½SW½SE¼ and also excepting therefrom the S½N½S½SW½SE¼ of Section 33, Township 34 South, Range 7 East of the Willamette Meridian.

WHEREAS, D. E. Wyman and M. H. Wyman hereinafter called the GRANTOR, have conveyed to the GRANTEE, an easement for a road over and across said real property by virtue of instrument dated the 13th day of January, 1982.

WHEREAS, CONSENTER has a pole line within the GRANTEE'S easement that may require relocation because of GRANTEE'S road construction or reconstruction.

Now therefore, the parties hereto agree as follows:

1. The CONSENTER consents to the above mentioned conveyance from the GRANTOR to the GRANTEE, and agrees to relocate said pole line upon request of the GRANTEE.
2. The GRANTEE agrees to reimburse the CONSENTER for reasonable costs of such relocation, provided such costs have been agreed to in advance of relocation.
3. Nothing contained herein shall obligate the GRANTEE beyond the extent of available authorized appropriations or contrary to the rules, regulations, and laws applicable to the GRANTEE.
4. No resident commissioner nor member of, or delegate to, Congress shall be admitted to any share or part of this Agreement or to any benefits that may arise therefrom unless this Agreement is made with a corporation for its general benefit.

Return To
Nina Matthews
Winema P.O.
882-7761 Ext. 332

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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the day and year first above written.

Pacific Northwest Bell Telephone Company

BY E.J. Knoll
TITLE General Manager, Distribution Services

ATTEST A.G. Ames
A.G. Ames Assistant Secretary

UNITED STATES OF AMERICA
Forest Service, USDA

BY Arthur W. Dufault
Forest Supervisor

Winema National Forest
National Forest

FORM APPROVED
Date: 1/12/82
By W.K.H.
Legal Department
Pacific Northwest Bell

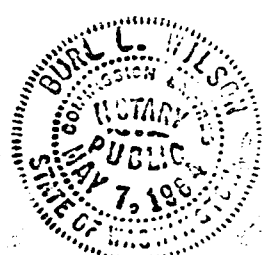


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STATE OF Washington)
COUNTY OF King) ss.

On this day personally appeared before me E. J. Knoll and
within and foregoing instrument and acknowledged to me that such corporation
executed the same as its free and voluntary act and deed, for the uses and pur-
poses therein mentioned, and that they were authorized to execute said instru-
ment on behalf of the corporation by authority of its board of directors, and
that the seal affixed is the corporate seal of said corporation.

Before me this 6 day of APRIL, 1932.



Burl L. Wilson
Notary Public in and for the State of
Washington residing at
Seattle
My commission expires MAY 7-1934

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ACKNOWLEDGEMENT

STATE OF OregonCOUNTY OF Klamath : ss.

On the 17th day of May, 1982, before me, a Notary Public within and for said State, personally appeared Arthur W. Dubault, the same person who executed the within and foregoing instrument, who, being by me duly sworn according to law, did say that he executed said instrument for Self, Forest Supervisor, Winema National Forest, Forest Service, Department of Agriculture, and that said instrument was signed in behalf of the United States of America by its authority duly given and by him delivered as and for its act and deed. And he did further acknowledge that he executed said instrument as the free act and deed of the United States of America, for the purposes and consideration herein mentioned and set forth, and I do hereby so certify.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal the day and year above written.

Ronald C. Smith
Notary Public for the State of
Oregon residing at
4514 Dray Klamath Falls, OR
My commission expires 4/20/84

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record .. 10:35
this 17 day of May A.D. 1982 at o'clock A.M.
duly recorded in Vol. 82 of Deeds on p. c. 6050

Fee \$16.00

EVELYN BIEHN, County Clerk
By Joyce R. Shaw