

## TELEPHONE LINE RIGHT-OF-WAY EASEMENT

Weyerhaeuser Company, a Washington corporation, hereinafter referred to as "Owner", grants to TELEPHONE UTILITIES OF EASTERN OREGON, INC., an Oregon corporation, its successors and assigns, hereinafter referred to as "Grantee", the right to bury and maintain underground telephone facilities, together with all necessary wires and fixtures incidental thereto, under and upon that real property situated in Klamath County, Oregon and more particularly described as follows:

A strip of land fifteen (15) feet in width, the centerline of said strip being contiguous to the centerline traverse of a buried telephone cable, as it exists on November 9, 1990, situated in the SW1/4 Section 35, T.33S., R.7E., W.M.

said centerline traverse of the aforesaid buried telephone cable being generally delineated on Exhibit "A", attached hereto and made part hereof.

Subject as to the rights of other parties with respect to any of said lands under instruments of record and existing agreements with and permits from Owner.

The terms and conditions of this Telephone Line Right-of-Way Easement are as follows:

1. Owner shall have the right to use said lands for any purpose not inconsistent with the rights herein granted.
2. Grantee shall have access to said telephone facilities for the purpose of exercising the rights herein granted.
3. All buried telephone cable is to be buried at a minimum depth of thirty (30) inches. The location of said cable is to be clearly marked by the placement of intervisible markers.
4. Grantee expressly waives any and all claims against Owner for damage to its equipment or facilities arising out of Owner's normal logging operations on the land described herein. Owner shall give reasonable notice to Grantee of said operations in order that Grantee may have men and equipment available to protect or repair said equipment or facilities of Grantee.
5. Grantee shall pay for all damages to Owner's property resulting directly or indirectly from the negligent acts or omissions of Grantee hereunder.
6. Grantee shall indemnify and hold harmless Owner from all claims for damages which may be caused by Grantee's exercise of rights herein granted.
7. In the event of abandonment of said facilities and necessary appurtenances by Grantee for a continuous period of three (3) years, all rights granted herein shall terminate.

This Telephone Line Right-of-Way Easement is granted pursuant to that Right of Entry and Authorization dated April 6, 1990 by virtue of which Grantee has

constructed its facilities under and upon Owner's real property described above. In consideration of the rights herein granted, Grantee hereby abandons and releases to Owner all rights granted in said Right of Entry and Authorization.

Dated this 19th day of November, 1990.

Weyerhaeuser Company,

Telephone Utilities of Eastern Oregon, Inc.,

by: D. W. Wilbur

by: R. E. Hood

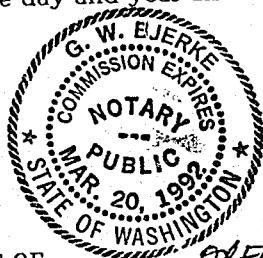
Title: Forest Land Use Manager

Title: Vice-President

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

On this 19th day of November, 1990 before me, the undersigned, a Notary Public in and for the State of Washington, personally appeared D. W. Wilbur and Forest Land Use Manager, me to be the Forest Land Use Manager, respectively, of WEYERHAEUSER COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they were 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 affixed my official seal the day and year first above written.



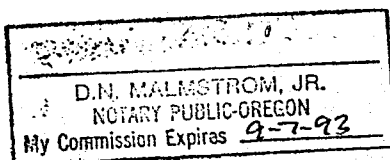
G. W. Ejerke  
Notary Public in and for the State of Washington,  
residing at Seattle

My Appointment expires: March 20, 1992

STATE OF OREGON )  
 ) ss.  
COUNTY OF LINN )

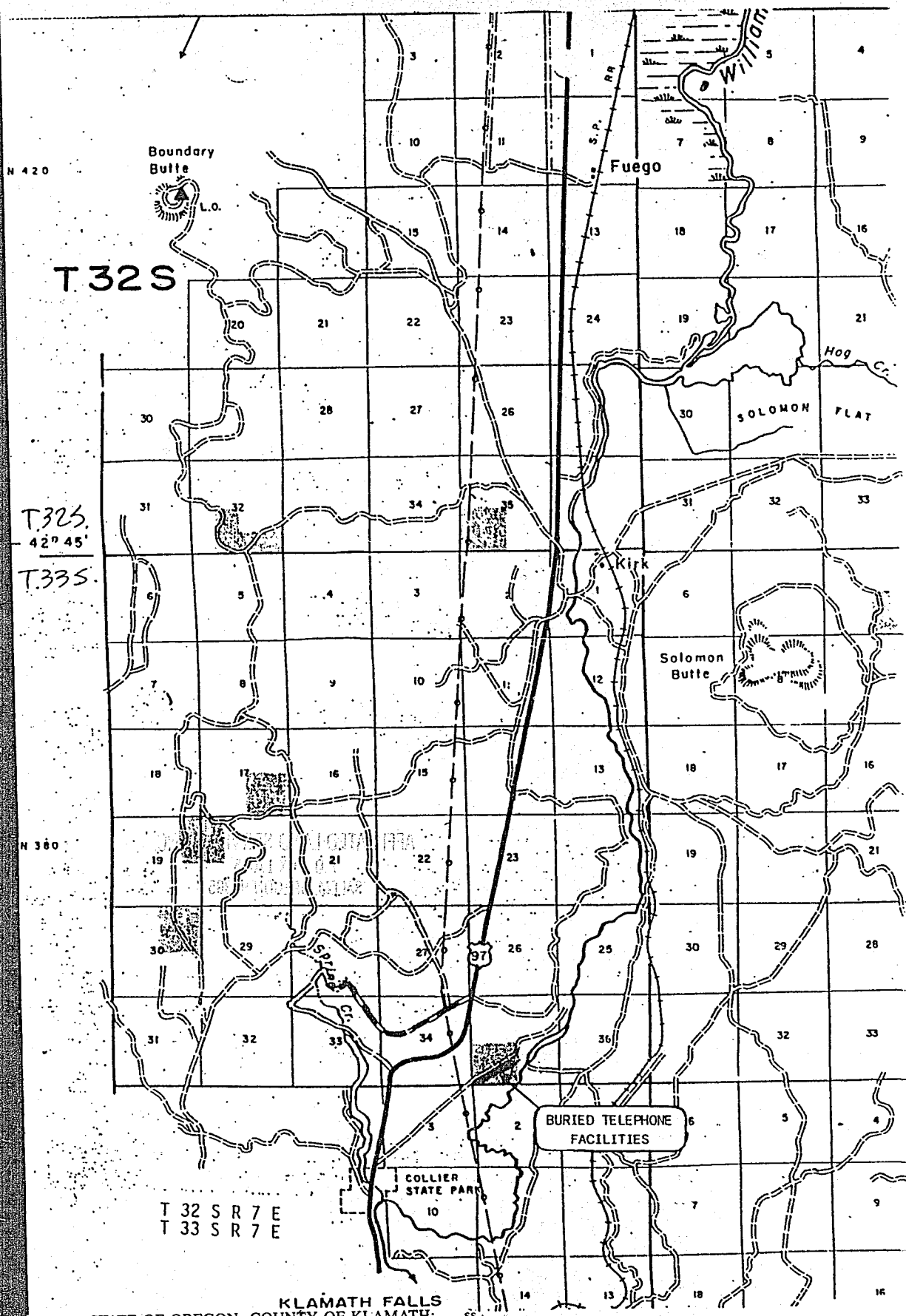
BE IT REMEMBERED, That on this 29th day of November, 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared R. E. Hood, the person who signed as Vice President of TELEPHONE UTILITIES OF EASTERN OREGON, INC., the corporation that executed the within instrument and acknowledged to me that such corporation executed the same.

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



D. N. Malmstrom, Jr.  
Notary Public in and for the State of OREGON  
My Commission expires: 9-7-93

EXHIBIT A

$$\frac{R.7E.}{R.8E.}$$


**Return:** Affiliated Land Services, Inc.  
P.O. Box 17035, Salem, Or. 97305

STATE OF OREGON: COUNTY OF KLAMATH: KLAMATH FALLS

Filed for record at request of Affiliated Land Services the 19th day  
of Dec. A.D., 19 90 at 12:19 o'clock P.M., and duly recorded in Vol. M90  
of Deeds on Page 25167.

FEE \$18.00