

33588

## RIGHT-OF-WAY EASEMENT AND AGREEMENT

Harold Y. Thompson hereinafter referred to as Grantor, hereby grants to TELEPHONE UTILITIES OF EASTERN OREGON, INC., dba PTI Communications, its successors and assigns, hereinafter referred to as the Company, 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:

The NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 20, T.34S., R.9E., W.M.

the location of said facilities to be as generally delineated on Exhibit "A", attached hereto and made part hereof.

It is agreed that the Company, its successors and assigns, shall have access to said premises for the purposes stated and shall be responsible for any damage to said premises by reason of any negligence on the part of said Company's employees while placing and maintaining construction.

In consideration of the rights herein granted, the Company agrees that, within a reasonable time following the completion of construction of the Company's facilities authorized hereunder, the Company, or a representative thereof, shall present to Grantor a "Telephone Line Right-of-Way Easement and Release" in favor of the Company. Said Telephone Line Right-of-Way Easement and Release shall specify the location of a ten (10) foot wide easement centered on the facilities constructed hereunder and shall incorporate the terms and conditions of this agreement, along with a release to Grantor of all rights conveyed to the Company in that previous Telephone Line Right-of-Way Easement recorded August 2, 1984 in Book M84 of Deeds at Page 13172 of Klamath County Records. Grantor shall have the option to replace this Easement and Agreement and previous Telephone Line Right-of-Way Easement by executing said Telephone Line Right-of-Way Easement and Release within thirty (30) days following receipt of such and without further consideration or payment to Grantor(s). Once executed by the Grantor(s), said Telephone Line Right-of-Way Easement and Release shall promptly be executed by the Company and filed for public record in the office of the County Clerk, Klamath County, Oregon. In the event that Grantor(s), for any reason, shall fail to execute said "Telephone Line Right-of-Way Easement and Release" within thirty (30) days following receipt thereof, all rights granted in this Easement and Agreement shall continue to the benefit of the Company in perpetuity.

Dated: July 31, 1991

Harold Y. Thompson  
Harold Y. Thompson

Telephone Utilities of Eastern  
Oregon, Inc., dba PTI  
Communications,

by: Jon Erickson

Title: Vice President

STATE OF California )  
 )  
COUNTY OF Santa Clara ) ss.  
 )

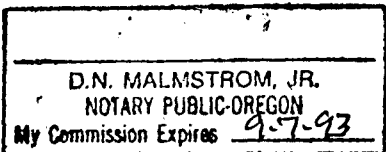
BE IT REMEMBERED, That on this 31st day of July,  
1991, before me, the undersigned, a Notary Public in and for said County and  
State, personally appeared Harold Y. Thompson  
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the identical individual described in and who executed the within instrument  
and acknowledged to me that he executed the same freely and voluntarily.  
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal  
the day and year first above written.



[Signature]  
Notary Public in and for the State of California  
My Commission expires: July 5, 1993

STATE OF OREGON )  
 )  
COUNTY OF LINN ) ss.  
 )

BE IT REMEMBERED, That on this 7th day of August,  
1991, before me, the undersigned, a Notary Public in and for said County and  
State, personally appeared TON FRANKSON,  
the person who signed as Vice President of TELEPHONE  
UTILITIES OF EASTERN OREGON, INC., the corporation that executed the within  
instrument doing business as PTI Communications, 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.



[Signature]  
Notary Public in and for the State of OREGON  
My Commission expires: 9-7-93

16763

Title: CHLQ WILLIAMSON RVR DIST	
W.O. 91503	ACAD: 9150346
Ex: 2505 CLR: 1680-342-4	
Cnty: KLAMATH	Twn: 34S
Staked: R CAMPBELL	Rng: 9E
Posted: VMC 3-25-91	Sec: 2I
Sht 45 of	Iss 1
Proj: PRI/509	

03-25-1991	Unit Summary	Drawing=9150345
Units Acti.	Yr ST Unit Description	Taxdist
1	A BM83	
1	A N1P1-6FG2	
1	91 A BA4	218008
2	91 A B03	218008
1	91 A B03A	218008
1964	91 A BFC12X22	218008
5081	91 A BFC6X22	218008
520	91 A SEBP2X22	218008

BUD & TAMMY WARNER

SUB  
ADRS  
TN  
PAIR:

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Affiliated Land Services, Inc. the 22nd day of Aug. A.D., 19 91 at 9:50 o'clock A.M., and duly recorded in Vol. M91 of Deeds on Page 16761.

FEE \$18.00

Evelyn Biehn - County Clerk

By Ruthene Mullendore