

RIGHT-OF-WAY EASEMENT AND RELEASE

McAuliffe Ranches, Inc., an Oregon corporation, hereinafter referred to as Grantor, hereby grant(s) 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 across that real property situated in Klamath County, Oregon and more particularly described as follows:

A strip of land ten (10) feet in width, the centerline of said strip being contiguous to the centerline traverse of buried telephone cables, as they exist on April 28, 1992, located in those portions of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5 and of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T.33S., R.7 $\frac{1}{2}$ E., W.M. which lie Southwest of the Crater Lake Highway, as the right-of-way of said Crater Lake Highway is described in that Warranty Deed recorded February 13, 1991 in Book M91 of Deeds at Page 2612 of Klamath County Records.

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, including damage to growing crops, caused by the Company's exercise of the rights granted herein. Said property shall be restored, as nearly as reasonably possible to prior condition in a workmanlike manner.

All facilities authorized hereunder shall be placed to a minimum depth of twenty-four (24) inches below ground surface except 1) where obstruction such as severe rock outcropping causes this requirement to be unreasonable, in which case said facilities shall be placed to a depth which, as nearly as is reasonably possible, approaches the otherwise applicable minimum depth stated above; and, 2) facilities placed within the fenced Crater Lake Highway corridor, as it exists on the date of this grant.

Grantor reserves the right to use the above described property for any purpose not inconsistent with the rights granted herein and shall not be responsible for damage to the Company's underground facilities placed hereunder resulting from normal farming operations of the Grantor on the above described property, wilful and intentional damages excepted.

For and in consideration of the rights granted herein, the Company hereby releases and quitclaims to Grantor all rights granted to the Company in that Right-of-Way Easement and Agreement recorded September 11, 1991 in Book M91 of Deeds at Page 18219 of Klamath County Records. Henceforth, the rights granted herein shall replace and supersede the rights granted in said Right-of-Way Easement and Agreement.

Dated: JUNE 17, 1992

McAuliffe Ranches, Inc.,

by: J. P. McAuliffe
Title: Sec.

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

by: [Signature]
Title: VICE PRESIDENT

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

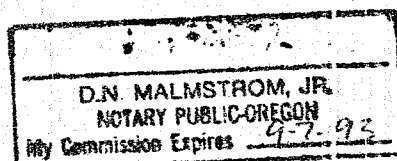
15416

2506-PR1506-P-10

STATE OF OREGON)
COUNTY OF KLAMATH) ss.

BE IT REMEMBERED, That on this 17th day of June, 1992, before me, the undersigned, a Notary Public in and for said County and State, personally appeared J. P. McAuliffe of MC AULIFFE RANCHES, 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.

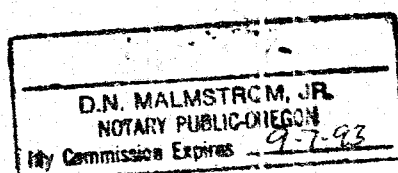


D.N. Malmstrom, Jr.
Notary Public in and for the State of OREGON
My Commission expires: 9-7-93

STATE OF OREGON)
COUNTY OF KLAMATH) ss.

BE IT REMEMBERED, That on this 17th day of June, 1992, before me, the undersigned, a Notary Public in and for said County and State, personally appeared William H. Weisman of TELEPHONE UTILITIES OF EASTERN OREGON, INC., the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same doing business as PTI Communications.

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

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

on this 14th day of July A.D. 19 92
at 10:36 o'clock A M. and duly recorded
in Vol. M92 of Deeds Page 15415
Evelyn Biehn
By Debra M. Malmstrom Deputy
County Clerk

Fee. \$15.00