

58800

BURIED CABLE EASEMENT

WEYERHAEUSER COMPANY a Washington corporation, hereinafter referred to as "Owner", grants to **TELEPHONE UTILITIES OF EASTERN OREGON, INC., d.b.a. PTI COMMUNICATIONS**, 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 ten (10) feet in width, the centerline of said strip being contiguous to the centerline traverse of a buried telephone cable, as it exists on October 1, 1992, situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 28 South, Range 8 East, 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 logging and other 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.

ENGINEERING DEPT.
PTI COMMUNICATIONS
P.O. BOX 337
LEBANON, OR 97355

5588

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.

Dated this 30th day of October, 1992.

WEYERHAEUSER COMPANY

TELEPHONE UTILITIES OF
EASTERN OREGON, INC., d.b.a.
PTI COMMUNICATIONS

By: [Signature]

Title: Forest Land Use Manager

By: [Signature]

Title: DIVISION ENGINEER

STATE OF WASHINGTON))
COUNTY OF KING) ss.

On this 30th day of October, 1992, before me personally appeared D. W. Wilbur, to me known to be the Forest Land Use Manager, 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 he was 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. BJERKE
STATE OF WASHINGTON
NOTARY --- PUBLIC
My Commission Expires 3-20-96

[Signature]
Notary Public in and for the State of Washington.

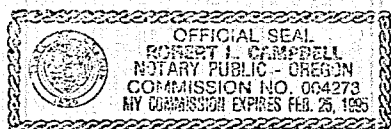
My Appointment expires: March 20, 1996

5589

STATE OF OREGON)
) ss.
COUNTY OF LINN)

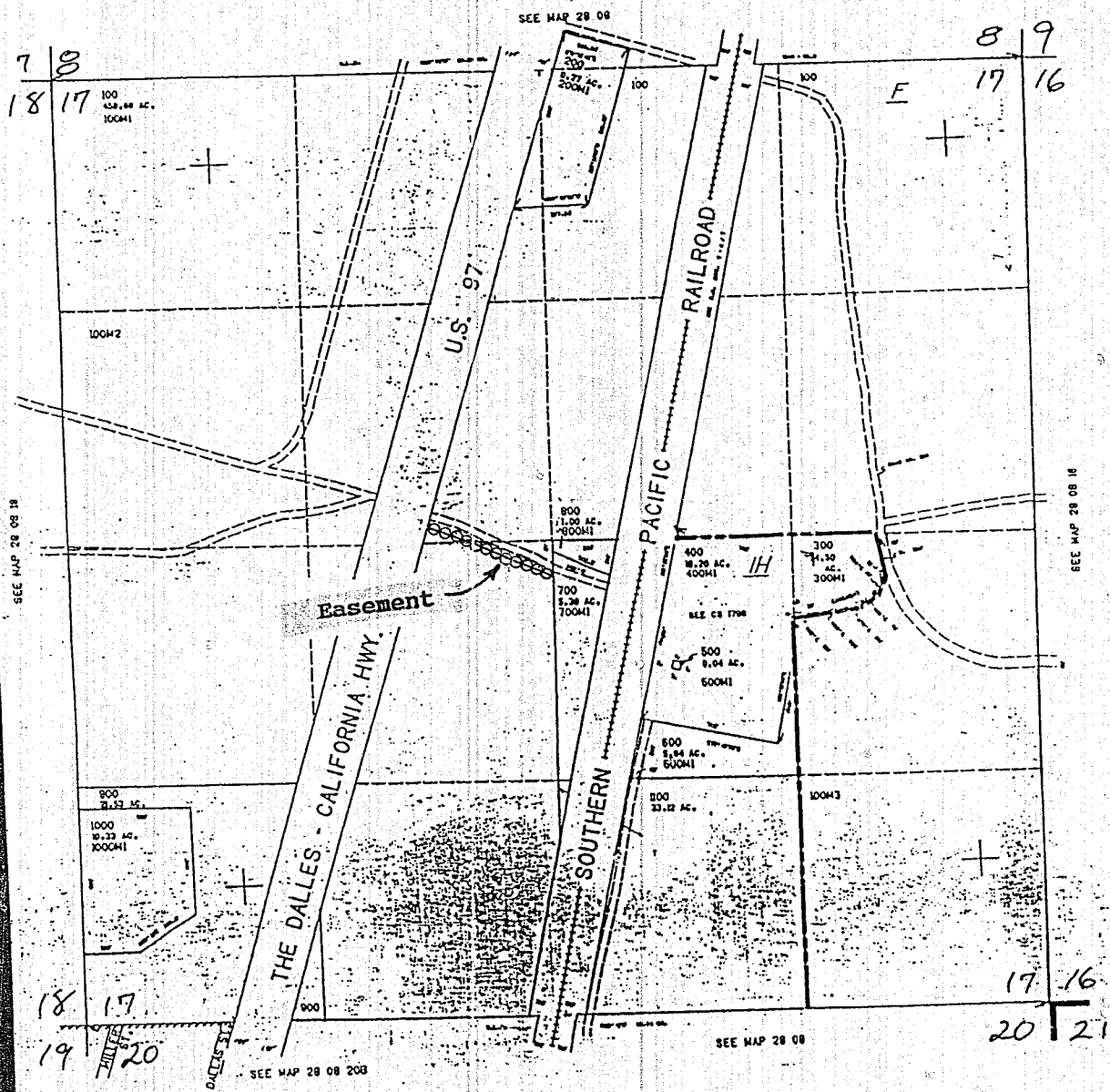
On this 4 day of January, 1992, before me personally appeared Garry Friberg, to me known to be the OREGON Division Engineer, of **TELEPHONE UTILITIES OF EASTERN OREGON, INC., d.b.a. PTI COMMUNICATIONS**, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was 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.



Robert L. Campbell
Notary Public in and for the
State of Oregon.

My Appointment expires: 2/25/95



Buried Cable Easement
Weyerhaeuser to Telephone Utilities of Eastern Oregon, Inc.
SE $\frac{1}{4}$ NW $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ of S17-T28S-R8E, W.M.
Klamath County, Oregon

Easement (10' wide):

EXHIBIT A

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ 18th day
of _____ March A.D., 19 93 at 9:21 o'clock _____ A.M., and duly recorded in Vol. _____ M93
of _____ Deeds on Page 5587

FEE \$25.00

Evelyn Biehn -County Clerk
By *Quintessence Williams*