

84067

07-1

1-94A09:57 RCVD

S.15D, T.38S, R. 9E, W.11, TL-100

EASEMENT

Job 43R516J

Vol. 94 Page 21316

The Undersigned Grantor(s) for and in consideration of Mutual Benefits

receipt whereof is hereby acknowledged, do hereby grant and convey to U S WEST Communications, Inc., a Colorado Corporation, (Grantee) whose address is 1600 7th Ave., Seattle, Washington 98101 its successors, assigns, lessees, licensees and agents a perpetual easement to construct, reconstruct, operate, maintain and remove such telecommunications facilities as Grantee may require upon, over, under and across the following described land which the Grantor owns or in which the Grantor has any interest, to wit:

See legal description on back of this document in Township 38 South, Range 9 East, W.M., Section 15D, Tax Lot 100, Klamath County, Oregon.

The easement is as follows: A strip of land 10 (ten) feet in width and 2900 (two thousand nine hundred) feet in length, within that certain private roadway known as a private roadway, as placed, and being a portion of the above described property.

Accepted by *D.L. Dwyer*
Manager Right-of-Way Operations

situated in County of Klamath State of Oregon

Grantee shall have the right of ingress and egress over and across the Land of the Grantor to and from the above-described property and the right to clear and keep cleared all trees and other obstructions. Grantee shall be responsible for all damage caused to Grantor arising from Grantee's exercise of the rights and privileges herein granted.

The Grantor reserves the right to occupy, use and cultivate said Easement for all purposes not inconsistent with, nor interfering with the rights herein granted.

The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

Any claim, controversy or dispute arising out of this Agreement shall be settled by arbitration in accordance with the applicable rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The arbitration shall be conducted in the county where the property is located.

in witness whereof the undersigned has executed this instrument this

10th day of May, 1994
By: *Melvin Stewart* Partner, M.B.K. Co.

Melvin Stewart, Partner, M.B.K. Co.

(Individual Acknowledgement)

State of _____
County of _____ } ss
On this day personally appeared before me _____

known to me to be the individual who executed the foregoing instrument, and acknowledged that signed the same as _____ free and voluntary act and deed, for the uses and purposes herein mentioned.

Given under my hand and official seal this _____ day of _____, 19____



Partnership
(Corporate Acknowledgement)

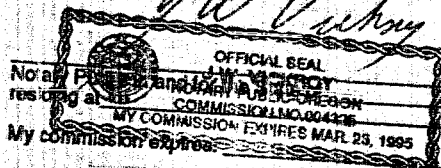
State of Oregon
County of Klamath } ss
On this day personally appeared before me _____

Melvin Stewart

who did say he/she is a Partner in M.B.K. Co. of the corporation that executed the 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 an oath stated that

was/were authorized to execute said instrument on behalf of the corporation.

Given under my hand and official seal this 10th day of May, 1994



RETURN TO GRANTEE AT:
US WEST COMMUNICATIONS, INC.
RIGHT-OF-WAY DEPT.
1600 7th AVENUE, ROOM 1703
SEATTLE, WA 98101

21317

In Township 38 South, Range 9 East of the Willamette Meridian:
 Section 14: S½ of NW¼ and SW¼
 Section 15: S½ of NE¼, the South 465.74 feet of NW¼ of NE¼, NW¼, N½SW¼, SE½SW¼ and SE¼

EXCEPTING however from the above property the following described tract, referred to herein as the Rifle Range Area, located within, and being a part of, the E½ of the SE¼ of Section 15 and the S½ of Section 14, all in Township 38 South, Range 9 East of the Willamette Meridian, said tract being more particularly described as follows:

Beginning at the section corner common to Sections 14, 15, 22 and 23, Township 38 South, Range 9 East of the Willamette Meridian; thence North 28°07'05" West, a distance of 150.00 feet to the North boundary of the SE¼ of the SE¼ of Section 15; thence North 46°08'22" East a distance of 950.00 feet to the section line common to Sections 15 and 14; thence South 60°26'26" East a distance of 1310.41 feet to the North boundary of the S½ of the SW¼ of Section 14; thence North 89°17'08" East along said boundary a distance of 850.00 feet to a point on same which is distant 660.00 feet from the Northeast corner of the S½ of the SW¼ of said Section 14; thence South 1°44'37" East, parallel with the East boundary of the West ½ of Section 14, a distance of 1319.58 feet to the South boundary of Section 14; thence South 89°14'34" West along same, a distance of 2008.25 feet, more or less, to the point of beginning.

ALSO EXCEPTING Lots 1, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of Tanglewood, Tract 225, situated Section 15, Township 38 South, Range 9 E.W.M.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ US West
 of _____ July _____ A.D. 19 _____ at _____ 9:57 o'clock _____ A.M. and duly recorded in Vol. _____ M94
 of _____ Deeds _____ on Page _____ 21315

FEE \$15.00

Evelyn Biehn - County Clerk
 By _____