

(10-93)

13302

01-06-95P01:34 RCVD

EASEMENT

RW Reference 94-30702S

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

(hereinafter referred to as the "Grantor") and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey to US WEST Communications, Inc., a Colorado Corporation, (Grantee) whose address is 1600 7th Avenue, 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 attached legal description and surveyors map, Township 38 South, Range 10 East Section 7BB, Tax Lot 1200, Klamath County, Oregon.

This easement supercedes the easement to US West Communications recorders No. 1194-759.

Accepted by A. J. D. [Signature]
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 at this 21 day of OCTOBER, 1994
By: Billy J. Freedlove X

Witness:

Klamath Lumber Co.

(Individual Acknowledgement)

State of _____ } ss

County of _____ }

(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____.

Notary Public in and for the State of _____
residing at _____

My commission expires: _____

(Corporate Acknowledgement) X

State of OREGON } ssCounty of KLAMATH }

On this day personally appeared before me

Billy J. Freedlove

who did say he/she is the

VICE PRESIDENT
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 21 day of OCT, 1994.



OFFICIAL SEAL
EARL W. YEOMAN
NOTARY PUBLIC - OREGON
COMMISSION NO. 014019
COMMISSION EXPIRES MAY 18, 1996

Notary Public in and for the State of OREGON
residing at KLAMATH FALLS, OR

My commission expires: 3-18-96

RETURN TO GRANTEE AT:
US WEST COMMUNICATIONS, INC.
RIGHT-OF-WAY DEPT.
1600 7th AVENUE, ROOM 1909
SEATTLE, WA 98191

MAP OF SURVEY

SITUATED IN THE NW 1/4 NW 1/4 SECTION 7, T39S, R10EWM,
KLAMATH COUNTY, OREGON

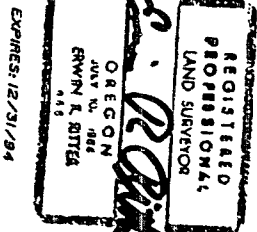
DEED VOL. 466,
PAGE 14, 168

LEGEND

○ FOUND MONUMENT AS SHOWN.

○ SET 5/8" x 30" IRON PIN WITH
TRU-LINE SURVEYING PLASTIC CAP

(XXX) RECORD BEARING AND/OR DISTANCE
BY R.O.S. #5525.



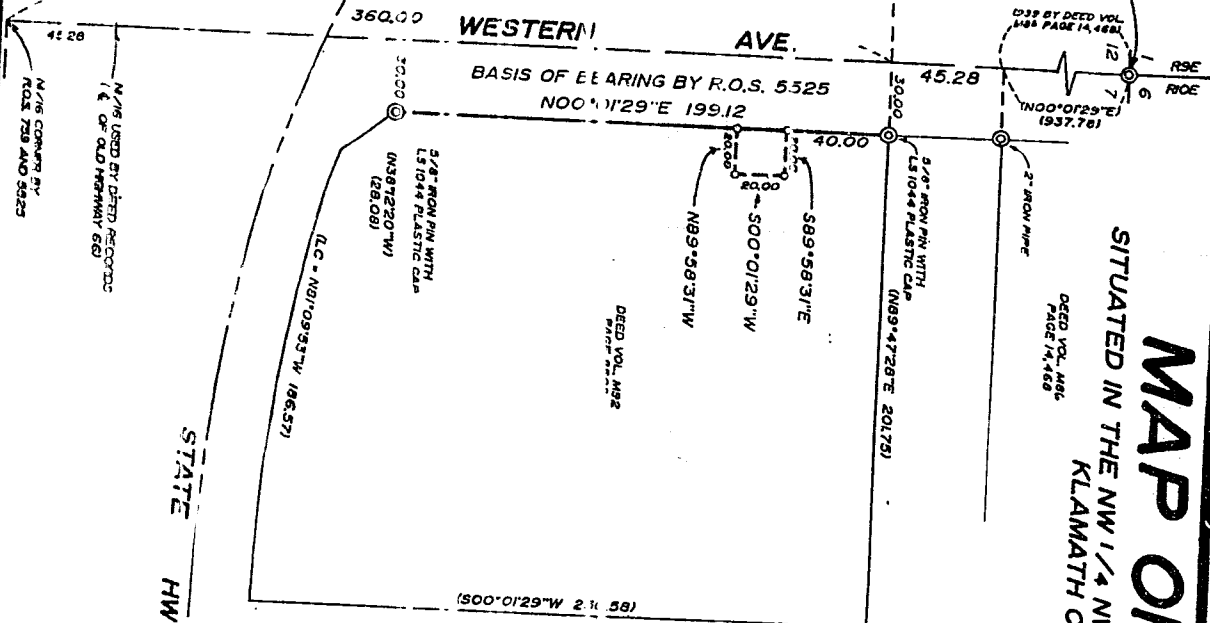
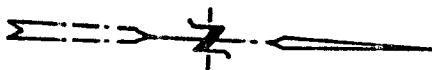
EXPIRES: 12/31/94

NARRATIVE

JIM TRACY OF U.S. WEST COMMUNICATIONS REQUESTED TRU-LINE SURVEYING TO SURVEY AND PREPARE A LEGAL DESCRIPTION OF AN EASEMENT THEY WANTED TO OBTAIN FROM A DIVERSIFIED FIBER CORPORATION. THE FOUND MONUMENTS FROM R.O.S. 5525 WERE USED FOR CONTROL TO SET THE CORNERS OF THE PROPERTY. THE LOCATION AS SHOWN IN THE DEED RECORDS OF THE PROPERTY.

SECTION 12 AND 7 AT PROPORTIONAL DISTANCES. HOWEVER, THE DEED RECORDS AND DEED RECORDS ALONG THE EAST LINE OF WESTERN STREET INDICATE THAT THE LONG ACCEPTED POSITION OF THE SANITARY 1/6 CORNER AS BEING AT THE CENTER LINE OF THE OLD HIGHWAY. THIS POSITION WOULD INDICATE THE NORTHWEST CORNER OF THE EASEMENT WOULD INDICATE THE NORTHWEST AT THE FOUND 2" PIPE. THIS ELIMINATING THE 45.28 FOOT GAP AS INDICATED BY R.O.S. 5525.

SCALE 1" = 50'



STATE HWY. #140

THIS MAP WAS FILED
IN THE OFFICE OF THE CLERK OF
COUNTY SURVEYING DIVISION
ON 5/11/88 BY J.E.S.

TRU SURVEYING LINE

2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

SURVEYED FOR	U.S. WEST
SURVEYED BY	JIM R. GIBB
MAPPED BY	W.D.C.
CHECKED BY	E.R.
	5-94

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of U.S. Weir the 6th day
of Jan A.D., 19 95 at 1:34 o'clock P. M., and duly recorded in Vol. M95
of Deeds on Page 404.

Berretta G. Letsch County Clerk

FEE \$20.00

By Douglas M. Henderson