

2030

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RIGHT-OF-WAY EASEMENT AND AGREEMENT

LARRY D. OLSON and ~~ESTHER WIFE OLSON~~; BERNARD L. SIMONSEN and RHEA E. SIMONSEN, TRUSTEES OF THE SIMONSEN FAMILY TRUST; and ~~PAUL WILLIAM SIMONSEN~~, hereinafter referred to as Grantor(s), hereby grant(s) to TELEPHONE UTILITIES OF EASTERN OREGON, INC., dba PTI Communications, its successors and assigns, hereinafter referred to as the Company, a non-exclusive easement and right to construct, operate and maintain underground and aerial telephone facilities, together with all necessary wires, poles, anchors, guys and other fixtures incidental thereto, under, upon, over and across that real property situated in Klamath County, Oregon and more particularly described as follows:

The S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 14, the S $\frac{1}{2}$ Section 15, the N $\frac{1}{2}$ Section 23 and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, T.37S., R.15E., 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(s) 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. Grantor(s) shall have the option to replace this Easement and Agreement 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.

Return To: Affiliated Land Services, Inc. P.O. Box 17035, Salem, OR 97305

Dated: JUNE 21, 95

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

by: [Signature]
Title: Vice President

[Signature]
Bernard L. Simonsen

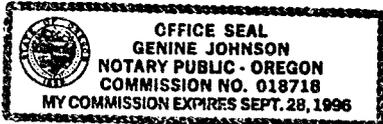
[Signature]
Rhea E. Simonsen

~~[Signature]~~
[Signature]
Larry D. Olson

~~Esther W. Olson~~

STATE OF OREGON)
COUNTY OF Klamath) SS.

BE IT REMEMBERED, That on this 3rd day of April, 1995, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Bernard L. Simonsen & Rhea E. Simonsen the identical individuals described in and who executed the within instrument and acknowledged to me that they 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.



Genine Johnson
Notary Public in and for the State of OREGON
My Commission expires: 9/28/96

STATE OF OREGON)
COUNTY OF LINN) SS.

BE IT REMEMBERED, That on this 21st day of June, 1995, before me, the undersigned, a Notary Public in and for said County and State, personally appeared William H. Weisman, 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.



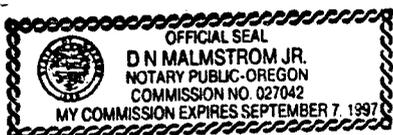
D N Malmstrom Jr.
Notary Public in and for the State of OREGON
My Commission expires: 9-7-97

STATE OF OREGON)
COUNTY OF COLUMBIA) SS.

BE IT REMEMBERED, That on this 10th day of April, 1995, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Larry D. Olson

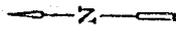
the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



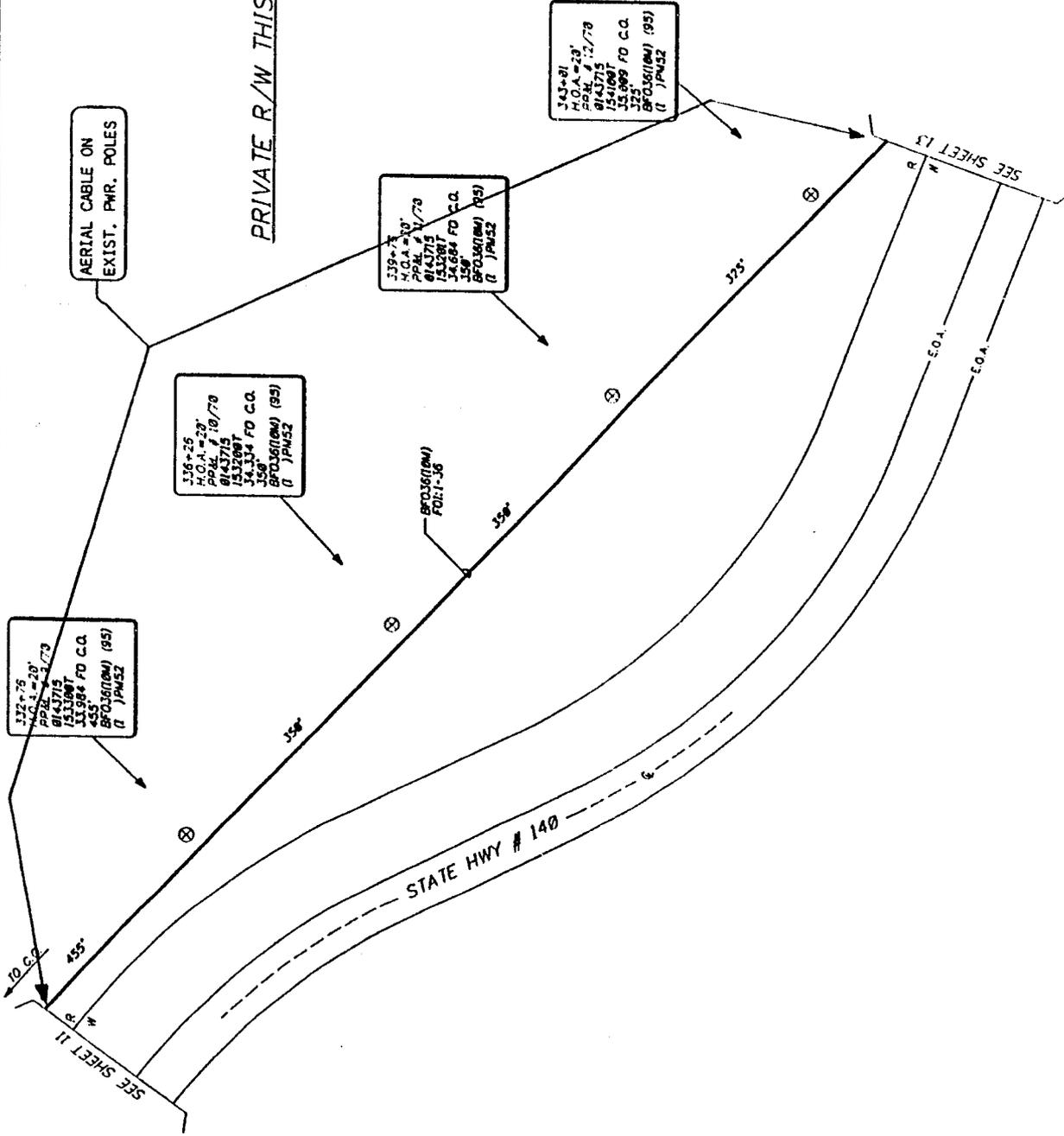
D N Malmstrom Jr.
Notary Public in and for the State of OREGON
My Commission expires: 9-7-97

EXHIBIT A
(SHEET 2 OF 9)



03/03/95	Unit Summary	Dwg#95525C12
CHLS Act:	Tr. ST Unit Description	Res 18
1480	951A BF036(10M)	

PRIVATE R/W THIS PAGE !!!



ALL MINOR MATERIALS ARE TABBED ON THE SHEET WHERE THEY APPEAR.

Known utility lines are shown in approximate locations only. All exact locations to be determined by the contractor during construction.

CALL FOR LOCATES
1-800-332-2334

All excavators performing work on this project must comply with the provisions of O.R.S. 31.757. Utility owners must be notified in writing at least 48 hours before work begins. A 10 business day notice must be given to excavator.

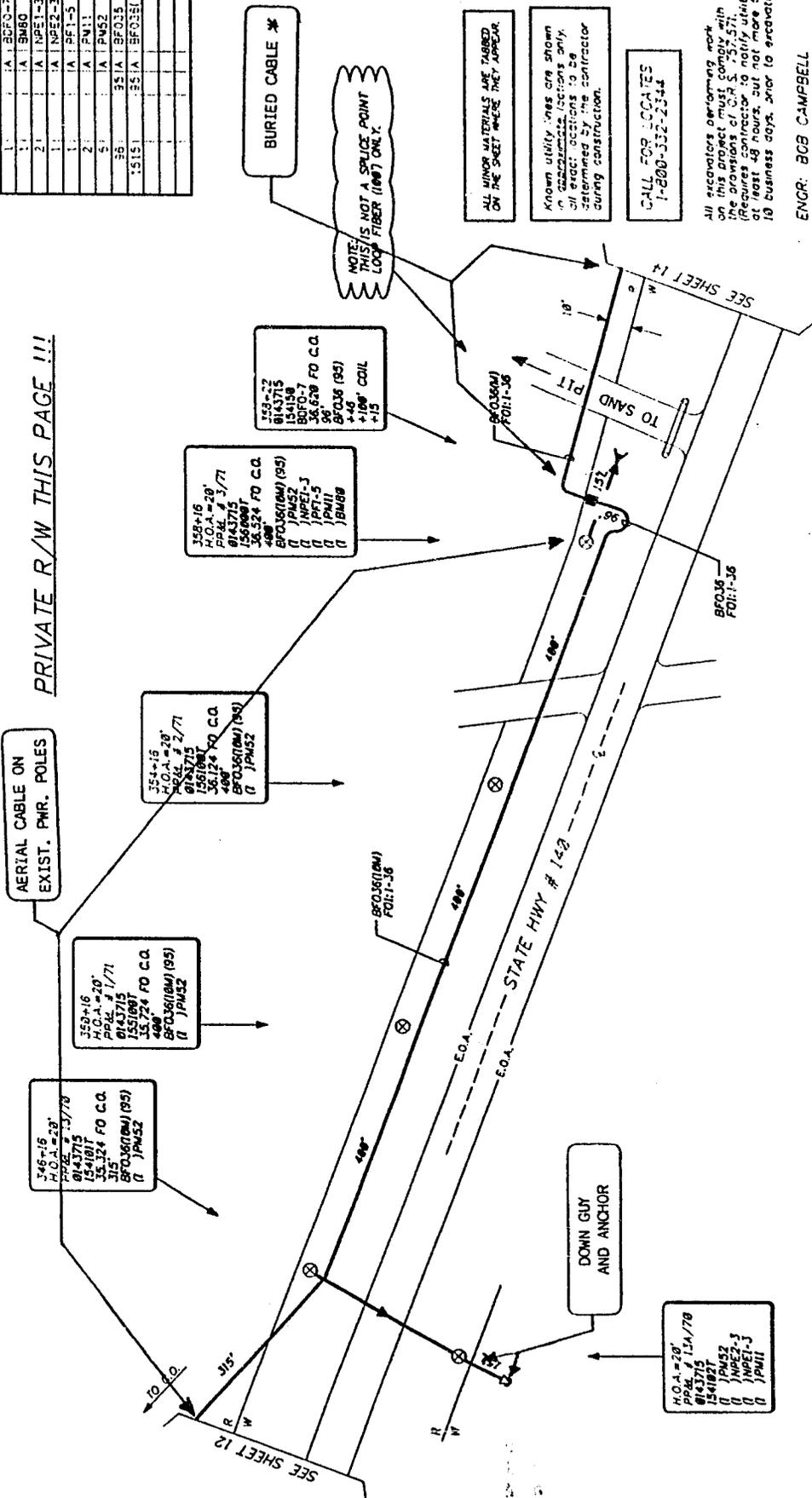
ENGR: BOB CAMPBELL
PHONE: (503) 259-7219

Title: LKVV FIBER (BLY)	
W.O. 95525	ACAD: 95525C12
Ex: 2553	CLR:
City: KLAMATH	Twn: 37S
Drawn: K.T.P./NLF	Rng: 15E
Posted:	Sec: 15
Sht. 12 of 20 Iss. 1 Proj: 95525	

EXHIBIT A
(SHEET 3 OF 9)

Unit No.	Unit Description	Reel #
1	1A BFO-7	
2	1A BFO-7	
3	1A BFO-7	
4	1A BFO-7	
5	1A BFO-7	
6	1A BFO-7	
7	1A BFO-7	
8	1A BFO-7	
9	1A BFO-7	
10	1A BFO-7	
11	1A BFO-7	
12	1A BFO-7	
13	1A BFO-7	
14	1A BFO-7	
15	1A BFO-7	
16	1A BFO-7	
17	1A BFO-7	
18	1A BFO-7	
19	1A BFO-7	
20	1A BFO-7	
21	1A BFO-7	
22	1A BFO-7	
23	1A BFO-7	
24	1A BFO-7	
25	1A BFO-7	
26	1A BFO-7	
27	1A BFO-7	
28	1A BFO-7	
29	1A BFO-7	
30	1A BFO-7	
31	1A BFO-7	
32	1A BFO-7	
33	1A BFO-7	
34	1A BFO-7	
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36	1A BFO-7	
37	1A BFO-7	
38	1A BFO-7	
39	1A BFO-7	
40	1A BFO-7	
41	1A BFO-7	
42	1A BFO-7	
43	1A BFO-7	
44	1A BFO-7	
45	1A BFO-7	
46	1A BFO-7	
47	1A BFO-7	
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93	1A BFO-7	
94	1A BFO-7	
95	1A BFO-7	
96	1A BFO-7	
97	1A BFO-7	
98	1A BFO-7	
99	1A BFO-7	
100	1A BFO-7	

PRIVATE R/W THIS PAGE !!!



ALL MINOR MATERIALS ARE LABELED ON THE SHEET WHERE THEY APPLY.

Known utility lines are shown in approximate locations only. All exact locations to be determined by the contractor during construction.

CALL FOR LOCATES
1-800-352-2344

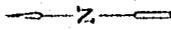
All excavators performing work on this project must comply with the provisions of S.R.S. 757.371. (Requires contractor to notify utilities at least 48 hours, but not more than 10 business days, prior to excavation.)

ENGR: BOB CAMPBELL
PHONE: (503) 259-7219

TIN: LKVV FIBER (BLY)	ACAD: 95525C13
W.O. 95525	Ex: 2553 CLR
City: KLAMATH	Twn: 37S
Drawn: KIP MLF	Proj: 95525
Posted:	Sec: 15
Sht. 13 of 20	Iss. 1

* NOTE: VARY CONSTRUCTION ROUTE TO AVOID REMOVAL OF MERCHANTABLE TIMBER.

EXHIBIT A
(SHEET 4 OF 9)



Units Actl.	Unit Summary	Dwg#	5525C1*
1	A B03		
1	IA B0FO-7		
2	IA BMS-1		
3	IA MBFO(B.S)		
24	IA MO-1(B)		
1924	1951A BFO35(W)		

ALL UNDERGROUND UTILITIES ARE SHOWN ON THIS SHEET UNLESS THEY APPEAR OTHERWISE.

Known utility lines are shown in accordance with the provisions of D.R.S. 75-571. All exact locations to be determined by the contractor during construction.

CALL FOR LOCATES
1-800-332-2344

All excavators performing work on this project must comply with the provisions of D.R.S. 75-571. (Requires contractor to notify utilities at least 48 hours, but not more than 10 business days, prior to excavation.)

ENGR: BOB CAMPBELL
PHONE: (503) 259-7219

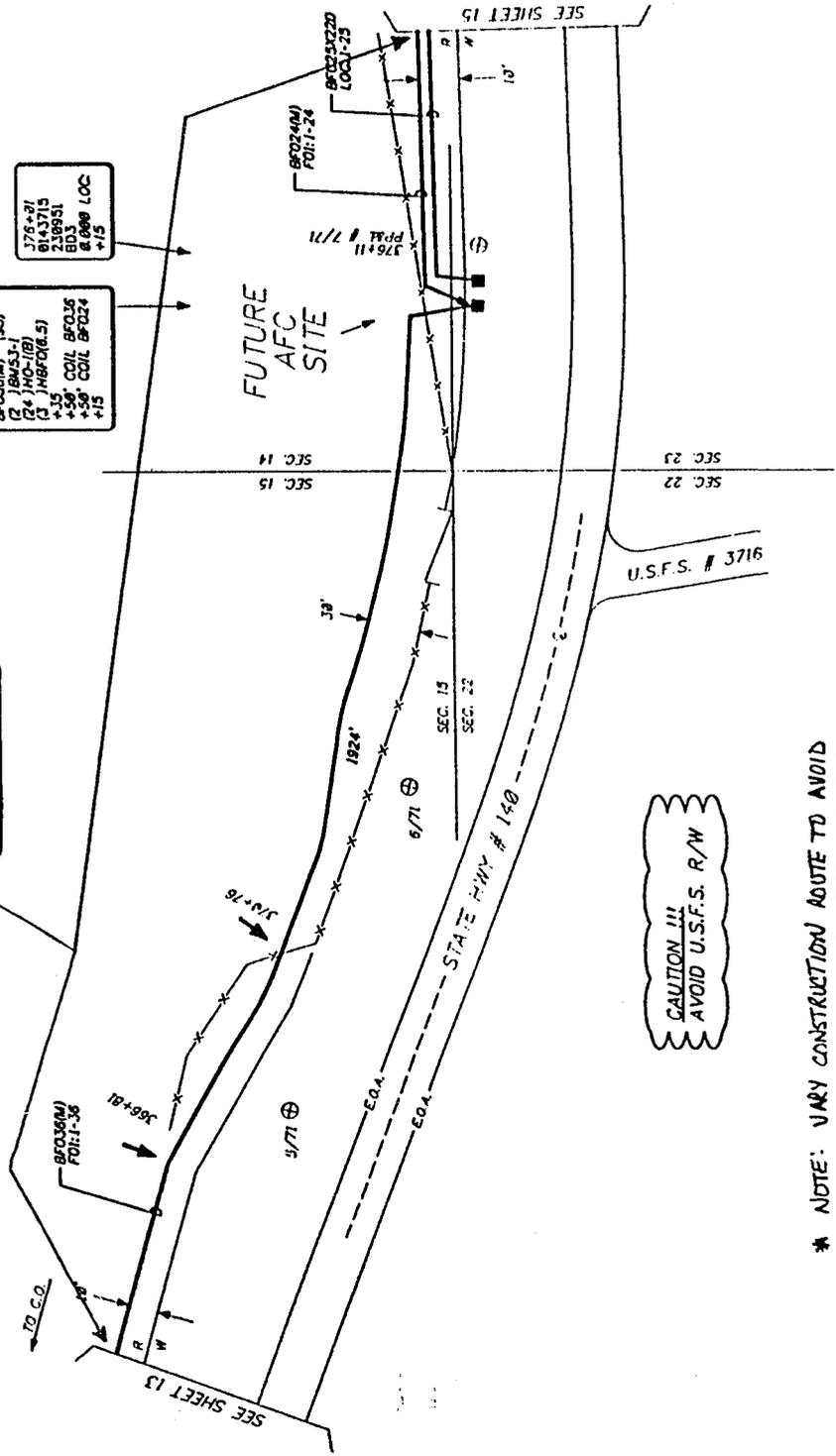
Title: LK VV FIEER (ELY)	
W.O. 95525	ACAD: 95525C14
E.C. 255J	CLR:
City: KLAMATH	Twn: 37S
Drawn: KIP/MLF	Rng: 15E
Postage:	Sec: 15.22.25
Sht 14 of 20 Iss. 1	Proj: 95525

PRIVATE R/W THIS PAGE !!!

BURIED CABLES *

375+25
8143715
238950
BFO-7
36344 FO C.O.
1924(B.M) (89)
BFO35(W)
124 MO-1(B)
13 MBFO(B.S)
+35
+50' COIL BFO36
+50' COIL BFO24
+15

376+21
8143715
238951
B03
8.000 LOC
+15



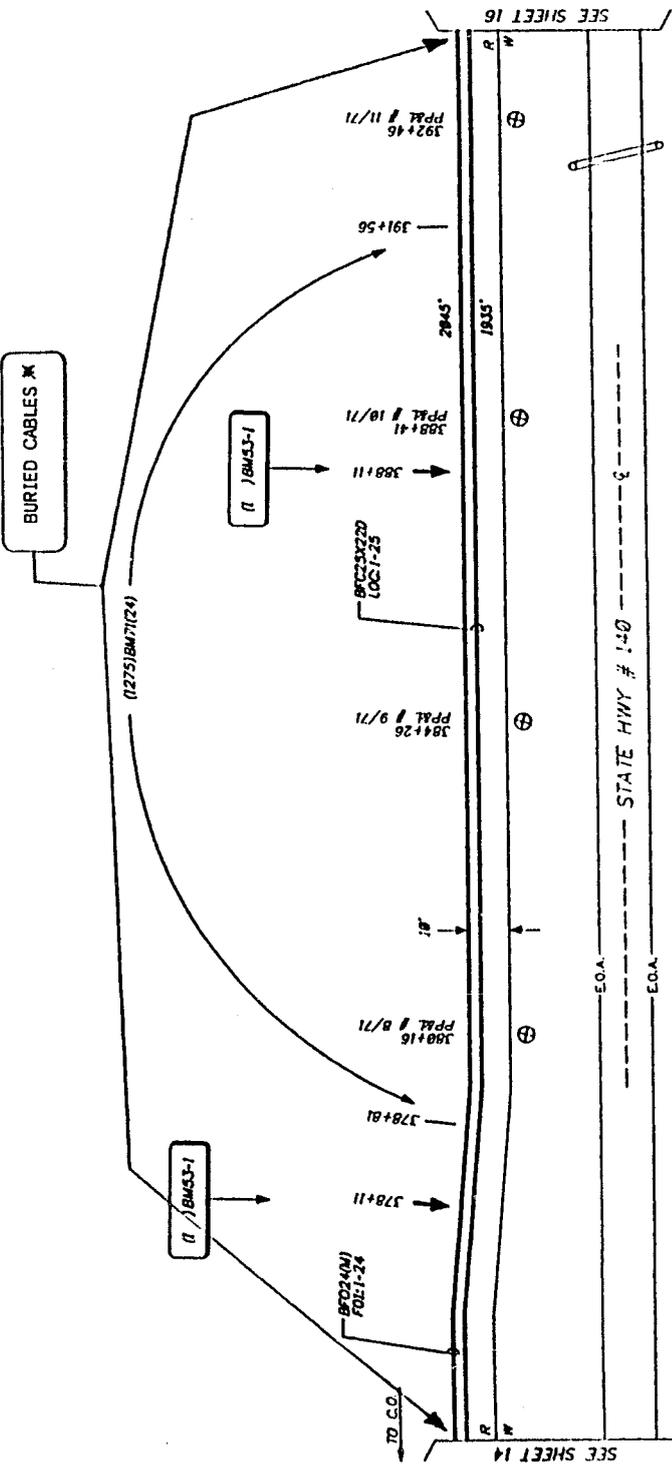
CAUTION !!!
AVOID U.S.F.S. R/W

* NOTE: VARY CONSTRUCTION ROUTE TO AVOID REMOVAL OF MERCHANTABLE TIMBER

EXHIBIT A
(SHEET 5 OF 9)

13.03.95	Unit Summary	Cwg95525015
Units Act.:	St. Unit Description	Reels
1	A 1 BM71(24)	1
2	A 1 BM53-1	1

PRIVATE R/W THIS PAGE !!!



ALL UNDERGROUNDS ARE SHOWN ON THIS SHEET UNLESS NOTED OTHERWISE.

KNOWN UTILITY LINES ARE SHOWN IN ACCORDANCE WITH THE PROVISIONS OF S.R.S. 752.571. REQUEST CONTRACTOR TO NOTIFY UTILITIES AT LEAST 48 HOURS, BUT NOT MORE THAN 10 BUSINESS DAYS, PRIOR TO EXCAVATION.

CALL FOR LOCATES
1-800-532-2344

All excavators performing work on this project must comply with the provisions of S.R.S. 752.571. Request contractor to notify utilities at least 48 hours, but not more than 10 business days, prior to excavation.

ENGR: BOB CAMPBELL
PHONE: (503) 259-7219

CONSTRUCTION NOTE:
ROCK EXCAVATE (275) BM71(24) FROM STA. 378+81 TO 381+56.

* NOTE: VARY CONSTRUCTION ROUTE TO AVOID REMOVAL OF MECHANICAL TIMBER.

Title: LKVV FIBER (BLY)	
W.C. 95525	ACAD: 95525C15
Ex: 2553	ICLR:
City: KLAMATH	Twn: 37S
Drawn: KTR/NLF	Rng: 15E
Sheet:	Sheet: 23
Sheet 15 of 20	Iss. 1 Proj: 95525

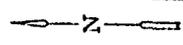


EXHIBIT A
(SHEET 1 OF 9)

Unit No.	Unit Summary	Quantity	Unit Description	Remarks
31	Excavation		Excavation	
32	Backfill		Backfill	
33	Gravel		Gravel	
34	Asphalt		Asphalt	
35	Concrete		Concrete	

ALL UNDER UTILITIES ARE LABELED ON THIS SHEET WHERE THEY APPEAR.

KNOWN UTILITY LINES ARE SHOWN IN APPROPRIATE COLORS ONLY. ALL EXISTING UTILITIES TO BE DETERMINED BY THE CONTRACTOR DURING CONSTRUCTION.

CALL FOR LOCATES
1-800-332-2534

All excavators performing work on this project must comply with the provisions of 3.P.S. 257.571. Requires contractor to notify utilities at least 48 hours, but not more than 18 business days, prior to excavation.

ENGR: BOB CAMPBELL
PHONE: (503) 259-7219

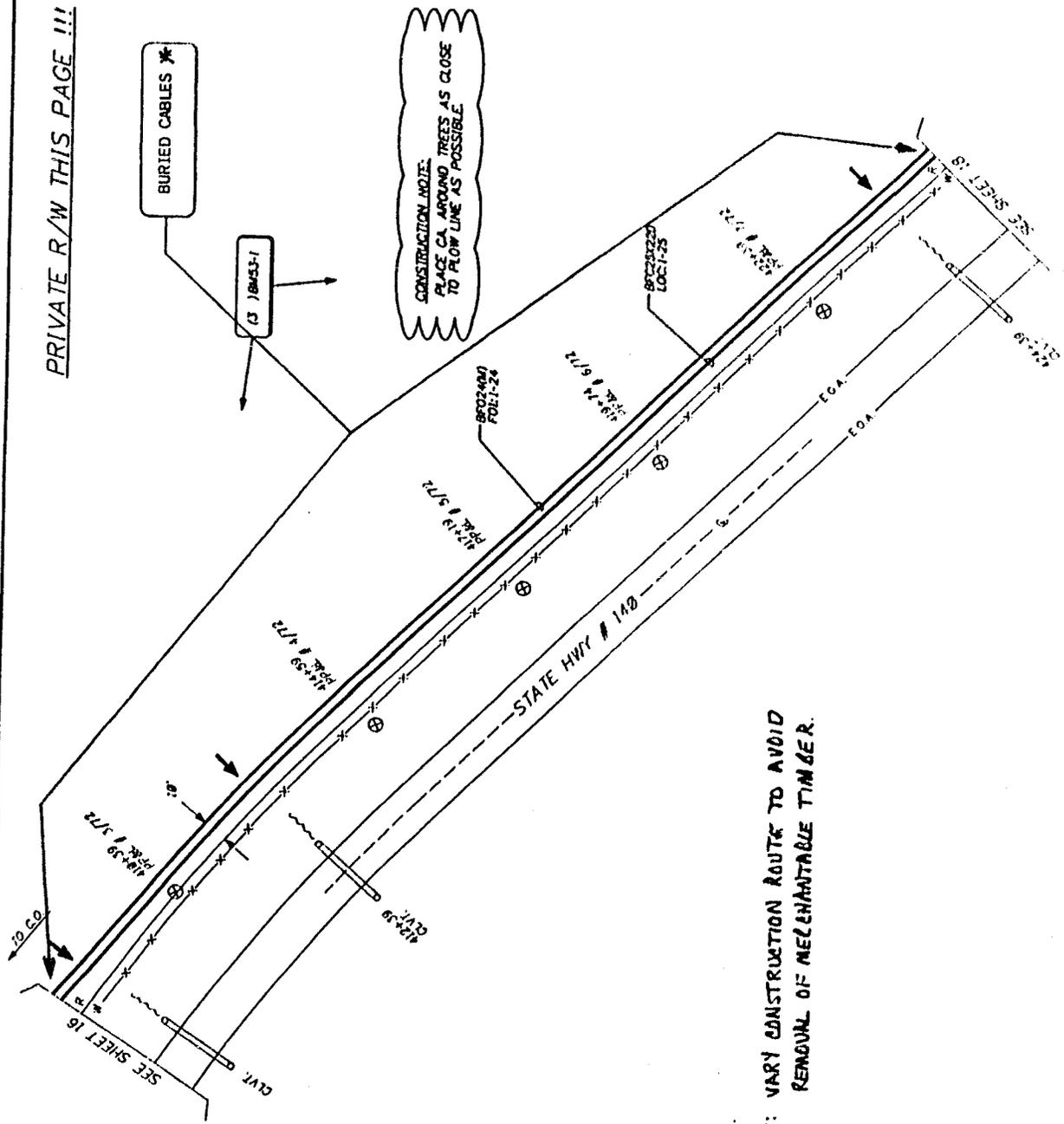
Title:	LKVW FIBER (BLV)
W.D.:	95525
ACAD:	95525C17
EX:	2553 CLR
City:	KLAMATH
Twn:	37S
Drawn:	KTS MLF
Eng:	ISE
Checked:	Sec:25
Scale:	As Shown

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BURIED CABLES *

318453-1

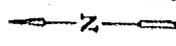
CONSTRUCTION NOTE:
PLACE CA AROUND TREES AS CLOSE TO FLOW LINE AS POSSIBLE



* NOTE: VARY CONSTRUCTION ROUTE TO AVOID REMOVAL OF MECHANICABLE TIMBER.

EXHIBIT A
(SHEET 8 of 9)

2/27/75	Unit Summary	095525C18		
Units Act:	Yr	St	Unit Description	Reels
			IA - BMS3-1	



ALL MINOR MATERIALS ARE TYPED ON THE SHEET WHERE THEY APPEAR.

KNOWN UTILITY LINES ARE SHOWN IN APPROPRIATE SECTIONS ONLY. ALL OTHER SECTIONS TO BE DETERMINED BY THE CONTRACTOR DURING CONSTRUCTION.

CALL FOR LOCATES 1-800-332-2344

All excavators performing work on this project must comply with the provisions of O.R.S. 73.571. The contractor shall notify utilities at least 48 hours prior to any work on a business day, prior to excavation.

ENGR: BOS CAMPBELL
PHONE: (503) 259-7219

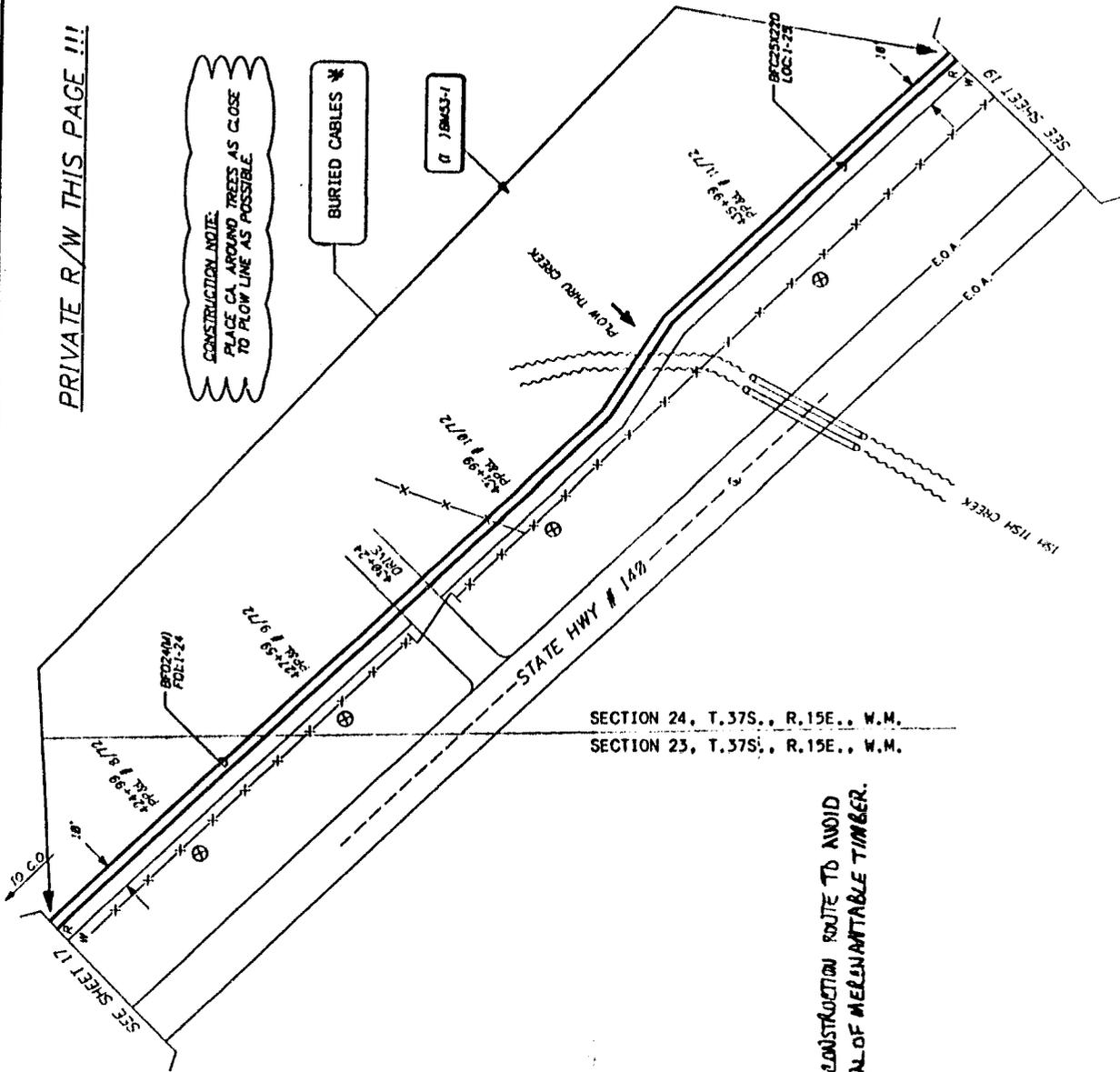
Title: LKVV FIBER (BLY)	
W.O. 95525	ACAD: 95525C18
Ex: 2553	CLF:
City: KLAMATH	Twn: 37S
Drawn: KTP/NLF	Eng: 15E
Checked:	Sec: 23.24
Sheet: 18 of 20	Iss: 1 Proj: 95525

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CONSTRUCTION NOTE:
PLACE CA AROUND TREES AS CLOSE TO FLOW LINE AS POSSIBLE.

BURIED CABLES

01 BMS3-1



SECTION 24, T.37S., R.15E., W.M.
SECTION 23, T.37S., R.15E., W.M.

* NOTE: VERY CONSTRUCTION ROUTE TO AVOID REMOVAL OF MERCHANTABLE TIMBER.

EXHIBIT A
(SHEET 9 OF 9)

03/13/95	Unit Summary	Dwg#95525C19
UNITS Accl.	Yr. ST Unit Description	Proj.#
2	1A	9553-1

ALL HAZARDOUS MATERIALS ARE TYPED ON THE SHEET WHERE THEY APPEAR.

Known utility lines are shown in approximates, locations only, all exact locations to be determined by the contractor during construction.

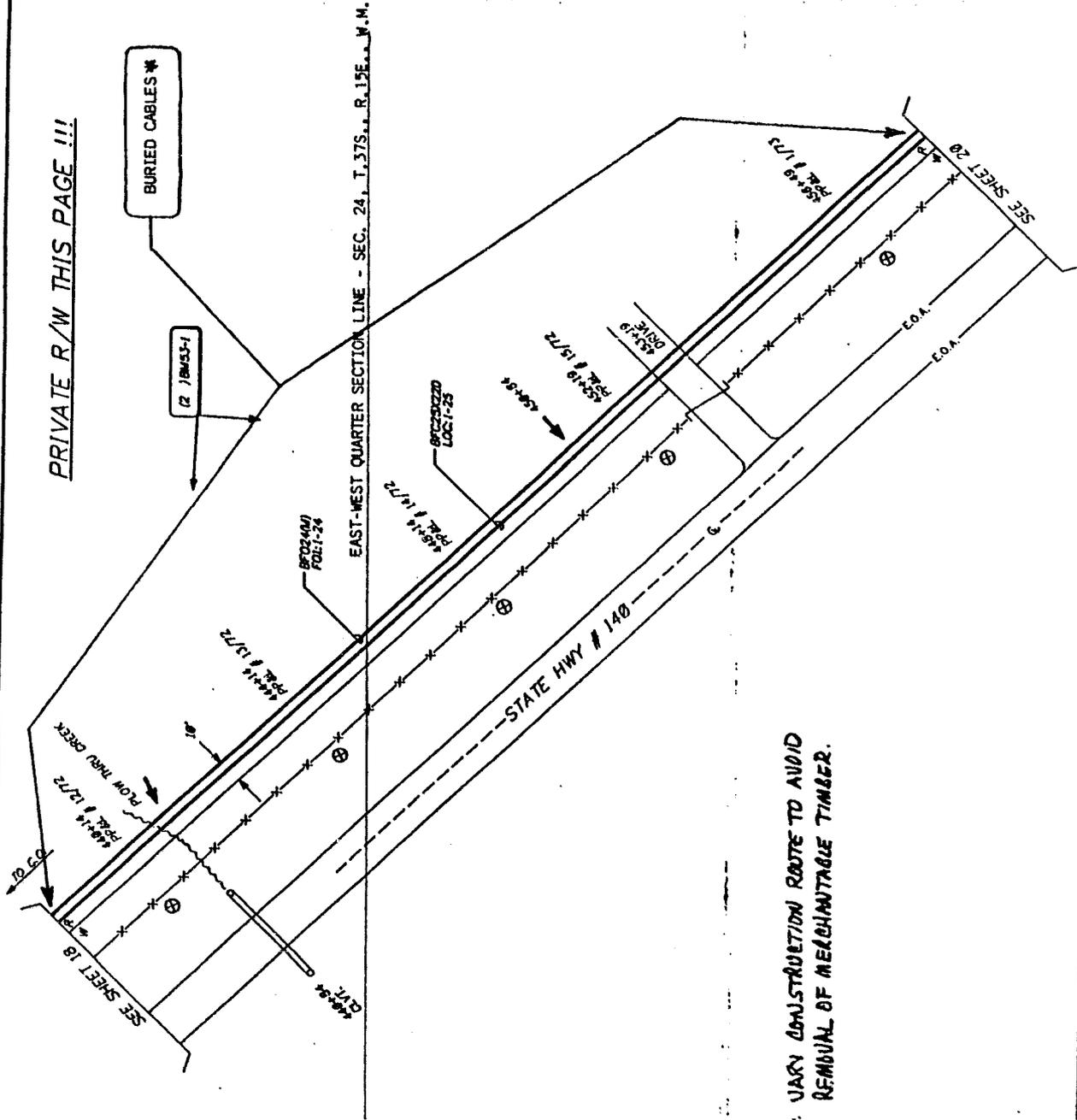
CALL FOR LOCATES
1-800-332-2344

All excavators performing work on this project must comply with the provisions of O.A.S. 757.571. (Requires contractor to notify utilities at least 48 hours, but not more than 18 business days, prior to excavation.)

ENCR: BOB CAMPBELL
PHONE: (503) 259-7219

Title: LKVV FIBER (BLY)	
W.O. 95525	ACAD: 95525C19
Ex: 2553	CLR:
Cnty: KLAMATH	Twn: 37S
Drawn: KTP/NLF	Rng: 15E
Posted:	Sec: 24
Sht 19 of 20	Iss. 1 Proj: 95525

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STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of Affiliated Land Services, Inc the 26th day of June A.D., 19 95 at 1:04 o'clock P. M., and duly recorded in Vol. M95 of Deeds on Page 16659

FEE \$60.00

Bernetha G. Letsch, County Clerk
By Annette Mueller