

14555

Vol. 2000 Page 6501

Job #: 52RB390

R/W Reference #: 9521921/s

EASEMENT

The Undersigned Grantor(s) for and in consideration of 200.00 Dollars (\$ 200.00) 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 Ave., Seattle, Washington 98191 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:

A parcel of land situated in Section 31, Township 39 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the Southerly line of the Weyerhaeuser Timber Company Private Logging Road and the Southeasterly right-of-way line at the old county road known as "Puckett Road" from which the Northeast corner of Lot 17, Block 9, KLAMATH RIVER ACRES bears the following two bearings and distances North 63° 02' 00" West 50.38 feet, South 19° 53' 57" West 60.45 feet; thence from said point of beginning Southwesterly along the Easterly right of way line of the said old county road known as "Puckett Road" 606 feet, more or less, to the Westerly right-of-way line of the Klamath Falls-Ashland Highway (Highway 66); thence Northeasterly along the Westerly right-of-way line of said Klamath Falls-Ashland Highway (Highway 66) 608 feet, more or less to the Southerly line of the Weyerhaeuser Timber Company Private Logging Road; thence Westerly along the Southerly line of the said Weyerhaeuser Timber Company Private Logging Road 153 feet, more or less, to the point of beginning.

AS SHOWN ON ATTACHED EXHIBIT A.

situated in County of Klamath, State of Oregon.

The rights granted herein allow a fiber optic cable and conduit to be installed concurrently with a natural gas pipeline in a trench to be constructed by Pacific Gas Transmission Company as part of its Medford Lateral Project, (O-KL-1767) as provided for in that Right of Way Agreement between the Grantor and Pacific Gas Transmission Company executed on that 8th day of August, 1994.

It is agreed between the parties that as soon as Pacific Gas Transmission Company has completed the installation the initial pipeline, the aforesaid parcel(s) shall be restricted to the following:

That portion of the said lands of Grantor above described lying between lines parallel to and situate fifteen (15) feet to the north and twenty (20) feet to the south (going in a general westerly direction through the State of Oregon) measured at right angles from the center line (or tangent thereof if a curve) of the initial pipe as actually laid by Pacific Gas Transmission Company across the said lands of Grantor, or adjacent thereto if the initial pipe is not actually laid on the said lands of the Grantor, such parallel line or lines being extended to the boundary lines of the said lands so as to enclose the right-of-way and easement, said right-of-way and easement shall not exceed thirty-five (35) feet in width.

The true and accurate position of such fibre optic cable and conduit is more completely detailed in the plans and construction data of said project and are subject to all the terms, conditions and specifications stated in said PGT Right-of-Way Agreement.

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.

Accepted by [Signature] Manager Right-of-Way Operations

RETURN TO GRANTEE AT:
US WEST COMMUNICATIONS INC.
RIGHT OF WAY DESK, RM 110
8021 SW CAPITOL HILL RD
PORTLAND, OR 97219

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 judgement 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 28th day of August, 1995

Witness: _____

BY: Jim L. Evins
 Jim L. Evins

Jackie E. Evins
 Jackie E. Evins

Witness: _____

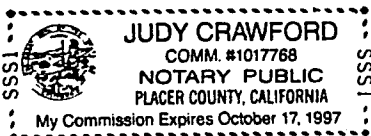
BY: Jerry Dale Stackhouse
 Jerry Dale Stackhouse

Roberta Stackhouse
 Roberta Stackhouse

CA
 State of Oregon)
 PLACER ss
 County of Klamath)

On this day personally appeared before me Jim L. Evins and Jackie E. Evins known to me to be the individuals who executed the foregoing instrument, and acknowledged that they signed the same as a free and voluntary act and deed, for the uses and purposes herein mentioned.

Given under my hand and official seal this 28th day of August, 1995.



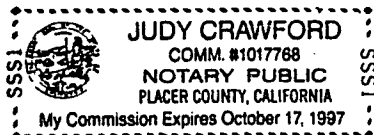
Judy Crawford
 Notary Public in and for the State of CA
 Residing at Colusa, CA

My Commission expires: 10-17-97

CA
 State of Oregon)
 PLACER ss
 County of Klamath)

On this day personally appeared before me Jerry Dale Stackhouse and Roberta J. Stackhouse known to me to be the individuals who executed the foregoing instrument, and acknowledged that they signed the same as a free and voluntary act and deed, for the uses and purposes herein mentioned.

Given under my hand and official seal this 28th day of August, 1995.



Judy Crawford
 Notary Public in and for the State of CA
 Residing at Colusa, CA

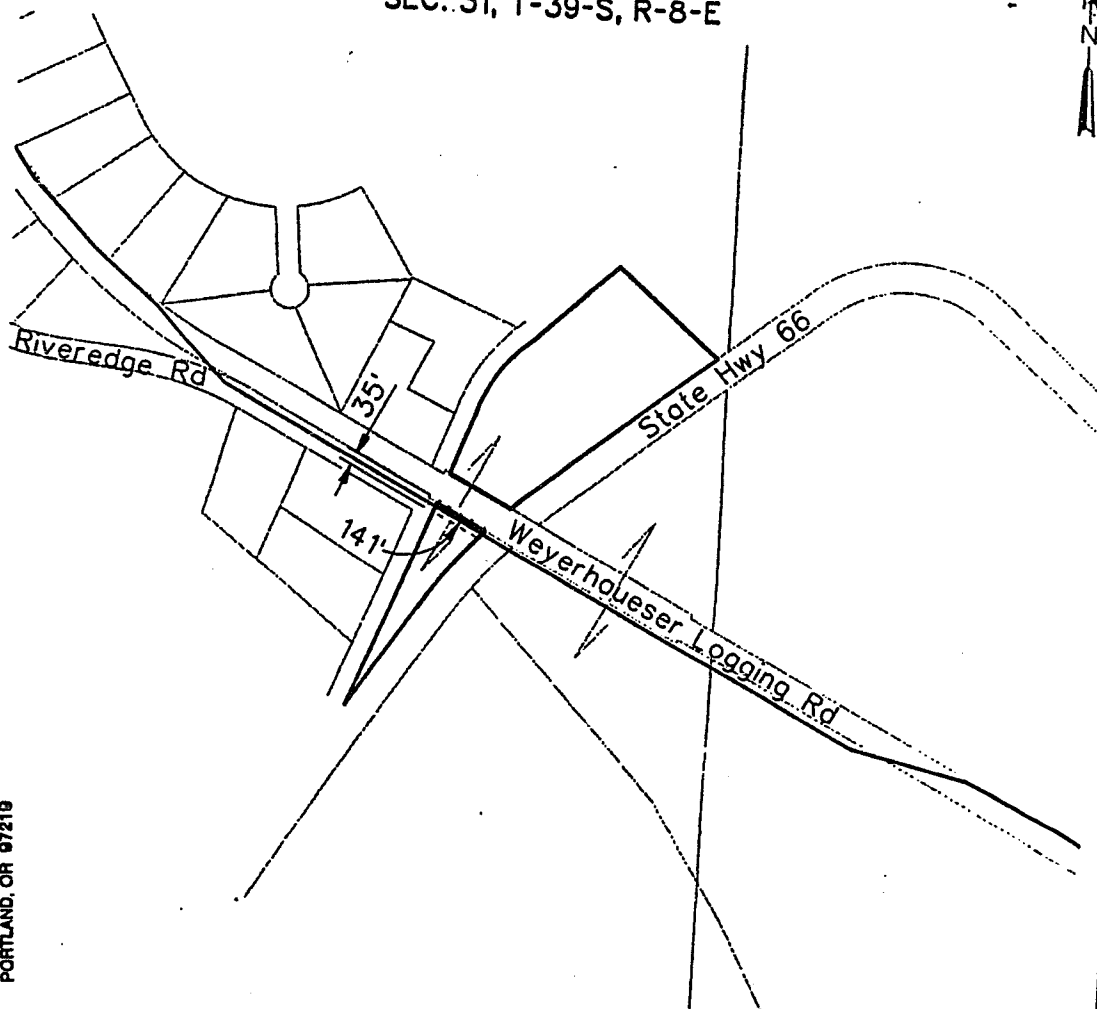
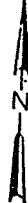
My Commission expires: 10-17-97

RETURN TO GRANTEE AT:
 US WEST COMMUNICATIONS INC.
 RIGHT OF WAY DESK, RM 110
 8021 SW CAPITOL HILL RD
 PORTLAND, OR 97219

KLAMATH COUNTY, OREGON

SEC. 31, T-39-S, R-8-E

6563



1767

Jim L. and Jackie Evins
APN: 3908031C0-00300

RETURN TO GRANTEE AT:
US WEST COMMUNICATIONS INC.
RIGHT OF WAY DESK, RM 440
8021 SW CAPITOL HILL RD
PORTLAND, OR 97219

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of _____ A.D., 19 _____ at _____ o'clock _____ M., and duly recorded in Vol. _____ day
of _____ on Page _____

FEE

By Bernetha G. Letsch, County Clerk
[Signature]