

14556

14706

Vol. 1496 Page. 6564

'96 MAR 14 P. 1:04

Vol. 1496 Page. 6906

Job #: 52RB390

R/W Reference #: 9521922/s

EASEMENT

The Undersigned Grantor(s) for and in consideration of NINETEEN HUNDRED Dollars (\$ 1,900.00) 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 over, under and across the following described land which the Grantor owns or in which the Grantor has any interest, to wit: T.C.P. R/L

Parcel 1: A portion of the Southwest Quarter of Section 31, Township 39 South, Range 8 East of the Willamette Meridian, containing 9.26 acres;

Parcel 2: A portion of Section 31, Township 39 South, Range 8 East of the Willamette Meridian, containing 101.16 acres.

AS SHOWN ON ATTACHED EXHIBITS "A" AND "B"

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-1774, 1775) as provided for in that Right of Way Agreement between the Grantor and Pacific Gas Transmission Company executed on that 8th day of February, 1995.

It is agreed between the parties that as soon as Pacific Gas Transmission Company has completed the installation of 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.

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.

A11:12

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

RETURN TO GRANTEE AT
US WEST COMMUNICATIONS INC.
RIGHT-OF-WAY DEPT.
1600 7th Ave, NW
PORTLAND, OR 97219

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

252

95219226

6565
6907

In witness whereof the undersigned has executed this instrument this 31ST day of August, 1995

Witness: _____

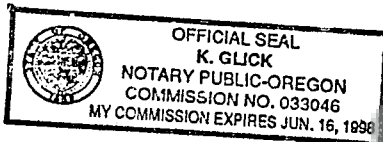
BY: *Douglas J. Puckett*
Douglas J. Puckett

Douglas J. Puckett

State of Oregon)
County of Klamath)

On this day personally appeared before me Douglas J. Puckett known to me to be the individual who executed the foregoing instrument, and acknowledged that he 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 31ST day of August, 1995



Notary Public in and for the State of Oregon
Residing at Portland, Ore.

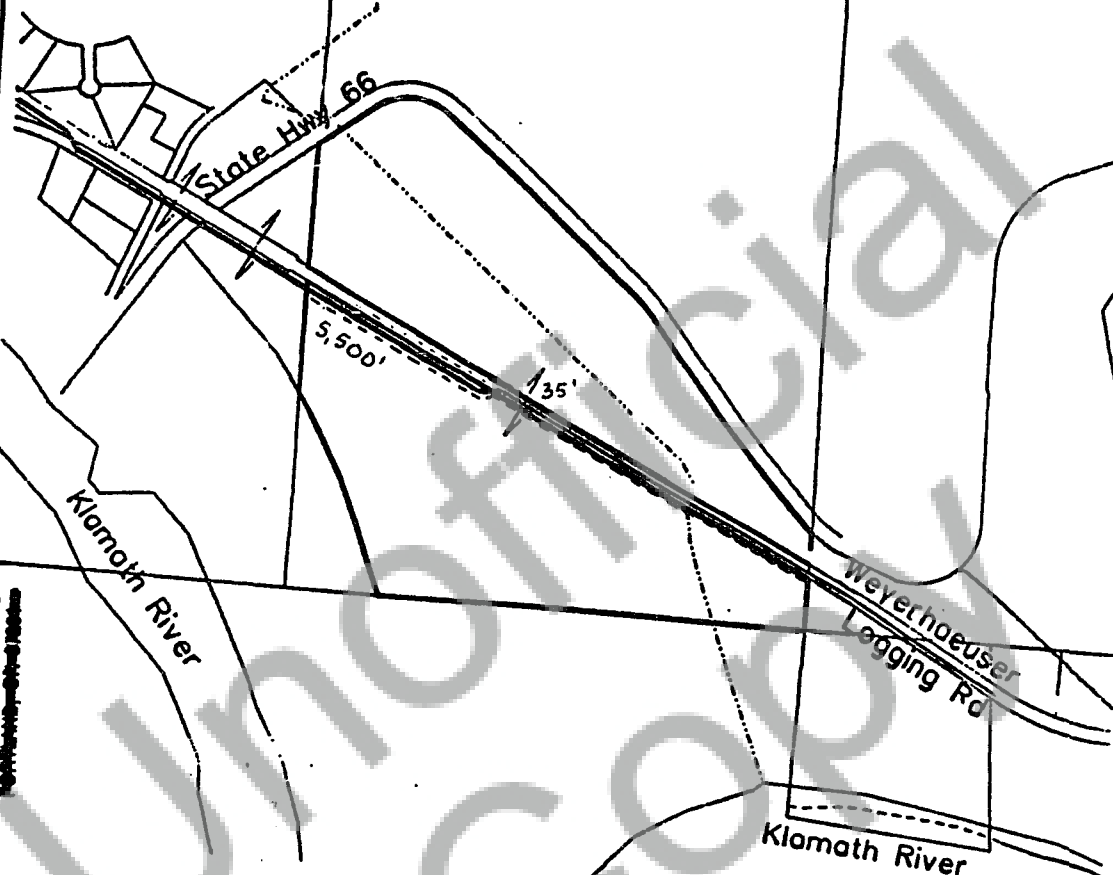
My Commission expires: June 16, 1998

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

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

6566
6908



RETURN TO GRANTER AND
GRANTEE-CONVEYANCES TWO
THIRDS OF THE
EIGHTY-FOUR PERCENT
INTEREST IN THE

(1775) Robert D. Puckett & Douglas Puckett
APN: 3908031D0-02900

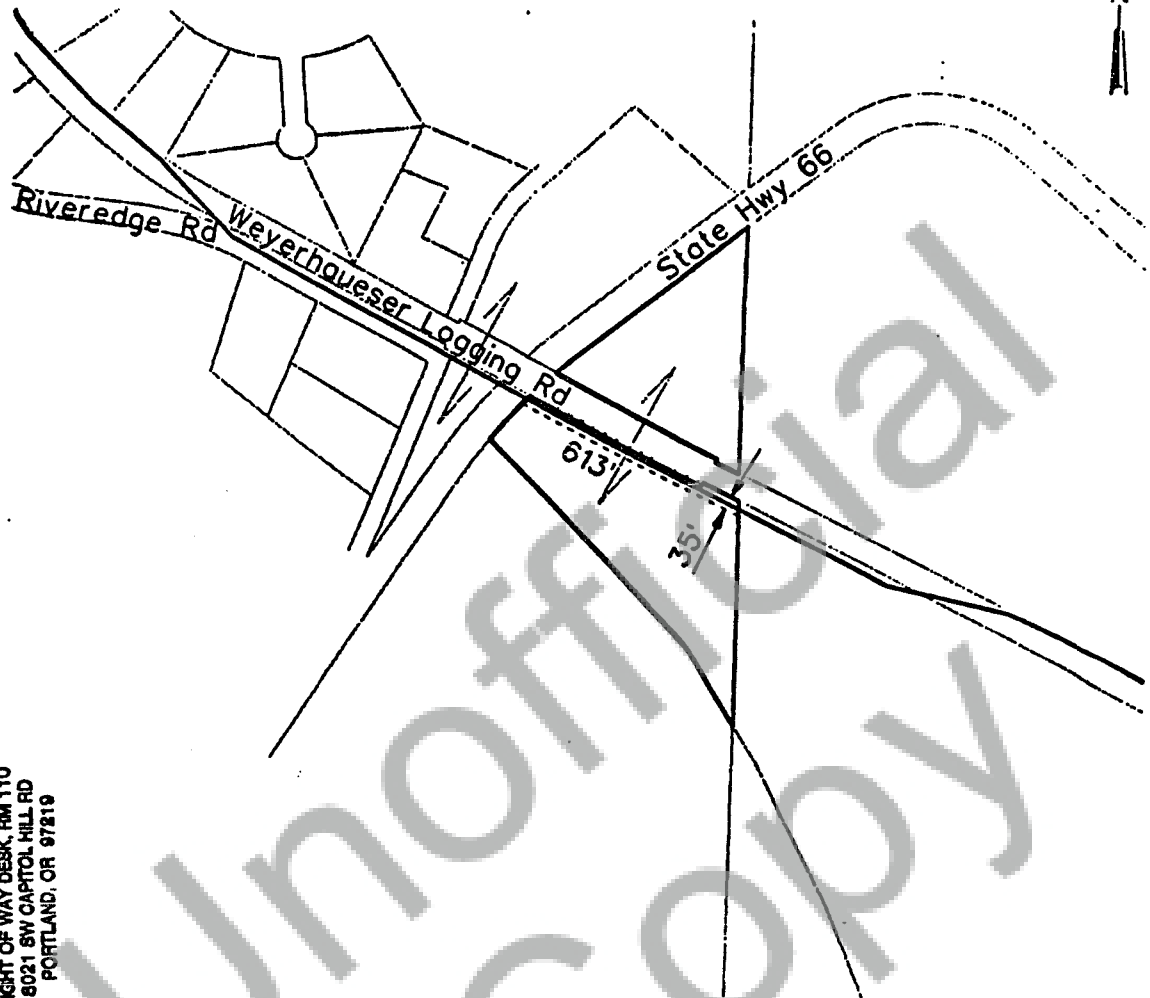
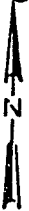
Reference #: 9521922/s

Exhibit "A"

6567
6909

KLAMATH COUNTY, OREGON

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



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

1774

Robert D. Puckett % Douglas Puckett

APN: 3908031C0-00100

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of U.S. WEST COMMUNICATIONS the 12th day
of March A.D., 19 96 at 11:12 o'clock A M., and duly recorded in Vol. M96,
of Deeds on Page 6561

FEE \$20.00

INDEXED

STATE OF OREGON: COUNTY OF KLAMATH: ss.

By Bernetha G. Letsch, County Clerk
Cheryl Russell

Filed for record at request of U.S. West Communications the 14th day
of March A.D., 19 96 at 1:04 o'clock P M., and duly recorded in Vol. M96,
of Deeds on Page 6906

FEE No Fee Rerecorded to Correct Page #

By Bernetha G. Letsch, County Clerk
Cheryl Russell