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## Vol. 296 Page 6561

Vol 96 Page 6911 Job #: 52RB390 R/W Reference #: 9521921/s

## EASEMENT

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 Weyerhauser 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 Let 17, Block 2, I:LAMATH RIVER ACRES beers 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 Weyerhauser Timber Company Private Logging Road; thence Westerly along the Southerly line of the said Wyerhauser 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 thereoi 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 abovedescribed 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.

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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.

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	Witness:		BY: Jerry Dale Stackhour Jerry Dale Stackhour
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5 5 1 1 1		r my hand and official	
		UDY CRAWFORD	1995.
1555		COMM. #1017768 NOTARY PUBLIC	Notary Public in and for the State of <u>CA</u>
	My Commissio	PLACER COUNTY, CALIFORNIA on Expires October 17, 1997	Residing at <u>Coupley</u> , <u>Ca</u>
	C State of Ore	A Igon-)	My Commission expires: 10-17-97
	County of K	Hacer ss lameth )	
	On this day be the individ and voluntar	personally appeared t Juals who executed th y act and deed, for th	pefore me Jerry Dale Stackhouse and Roberta J. Stackhouse known to me to e foregoing instrument, and acknowledged that they signed the same as a free e uses and purposes herein mentioned.
	Given under	my hand and official	seal this <u>28th</u> day of <u>August</u> , 1995.
•			Notary Public in and for the State of CA

Residing at

My Commission expires: 10-17-97

EASEMENT - Evins.42 \ Page 2

Commission Expires October 17, 1997

JUDY CRAWFORD

COMM. #1017768

NOTARY PUBLIC PLACER COUNTY, CALIFORNIA SSS

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	the <u>14th</u> day M., and duly recorded in Vol. <u>M96</u> , ge <u>6911</u> . Bernetha G. Letsch, County Clerk

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