

## EASEMENT

RAW Reference #: 96078056T39 \$ R9E \$10

The Undersigned Grantor(s) Melvin B. Kendall and Marjeanne Kendall for and in consideration of mbk Dollars (\$ THREE HUNDRED DOLLARS \$300.00 187) 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 8021 SW Capitol Hill Rd., Portland, OR 97219, 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:

The westerly 10 feet of the following described property:

The South 208.3 feet of Lot 11, Altamont Ranch Tracts, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, saving and excepting that portion deeded to Klamath County in Deed Volume M-88, Page 1449, Records of Klamath County, Oregon. Said tract of land containing 6.07 acres, more or less.

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.

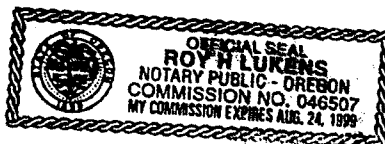
Any claim, controversy or dispute arising out of this Agreement shall be settled by arbitration in accordance with the applicable rules of the American Arbitration Association, and judgement upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The arbitration shall be conducted in the county where the property is located.

In witness whereof the undersigned has executed this instrument this 14 day of December 1995

Witness: \_\_\_\_\_

Melvin B. Kendall  
Melvin B. Kendall

Marjeanne Kendall  
Marjeanne Kendall



Accepted by [Signature]  
MAY 28 AIO:32  
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

15270  
9607805f

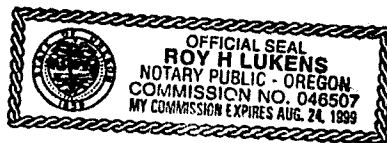
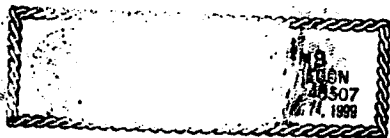
State of Oregon )  
ss  
County of Klamath )

On this day personally appeared before me Melvin B. Kendall and Marjeanne Kendall 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 14<sup>th</sup> day of December, 1995.

[Signature]  
Notary Public in and for the State of OREGON  
Residing at WOODBURN, WA

My Commission expires: Aug. 24, 1999



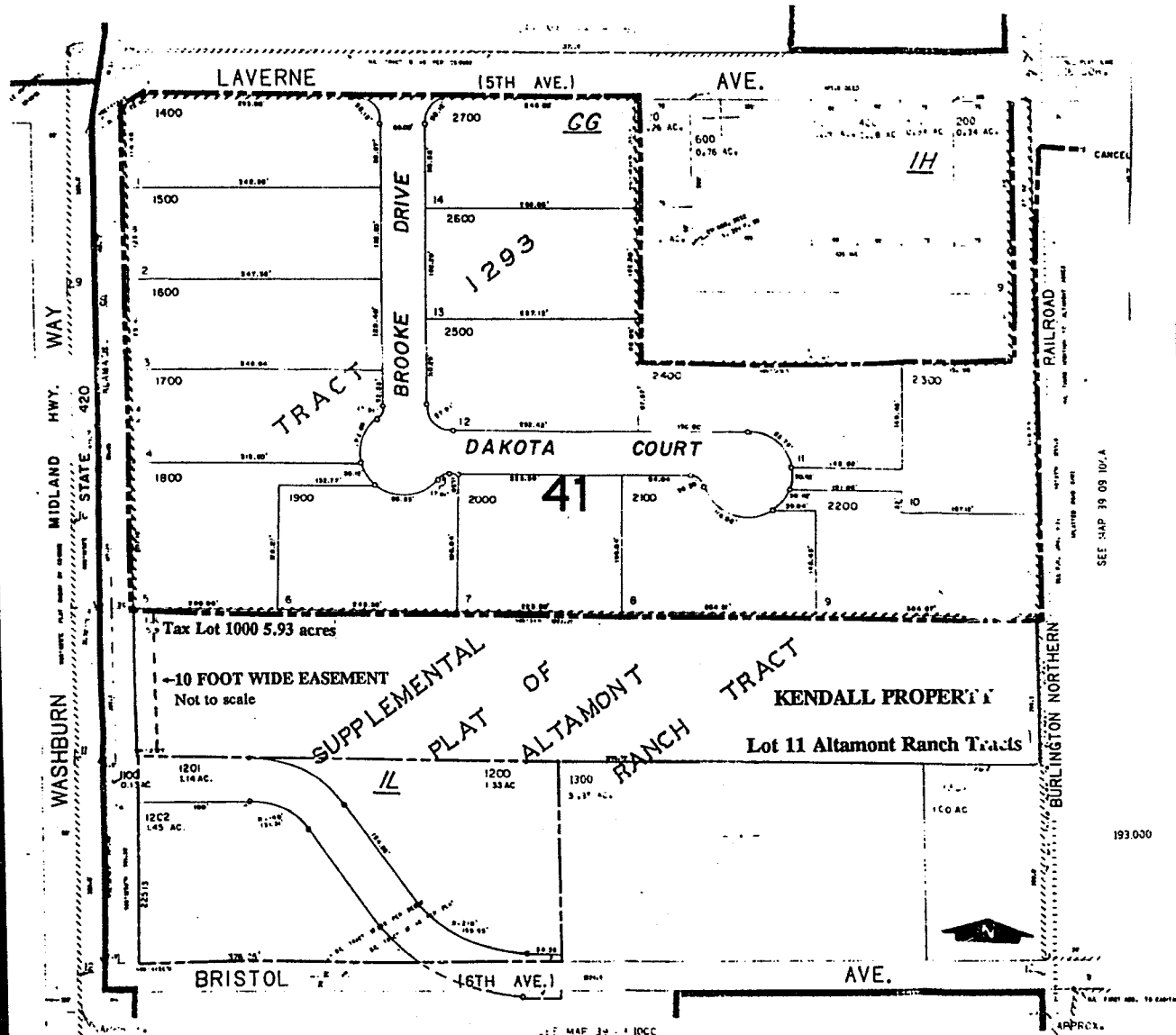
RETURN TO GRANTEE AT  
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EXHIBIT "A"  
US WEST COMMUNICATIONS, INC.  
Property of Melvin B. and Marjeanne Kendal

96028058

Located in NW¼ SW¼ of Section 10, T 39S R09E, W.M.  
Klamath County Oregon  
As of this date known as Tax Lot 1000  
as described in that Bargain and Sale Deed recorded November 9, 1992  
in Klamath County Deed Records Volume M92 Page 26390



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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of U.S. West Communications the 28th day  
of May A.D., 19 96 at 10:32 o'clock AM., and duly recorded in Vol. M96  
of Deeds on Page 15269

Bernetha G. Letsch, County Clerk

FEE \$20.00

By [Signature]