

23777

The Undersigned Grantor(s) for and in consideration of

Eight Hundred Fifty Dollars (\$ 850.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey to U S 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:

See Exhibits "A" & "B".

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

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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 judgment 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 1st day of July, 1996.

Witness: _____

By: [Signature: Steven M. Carson]
[Signature: Henrietta Joanne Carson]

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

(Individual Acknowledgement)
State of OREGON
County of KLAMATH } ss

On this day personally appeared before me
STEVEN M. CARSON
HENRIETTA JOANNE CARSON

known to me to be the individual s 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 1 day of JULY, 1996.



Notary Public in and for the State of OREGON
residing at KLAMATH FALLS

(Corporate Acknowledgement)
State of _____ } ss
County of _____ }

On this day personally appeared before me

who did say he/she is the _____

of the corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and an oath stated that _____ was/were authorized to execute said instrument on behalf of the corporation. Given under my hand and official seal this _____ day of _____, 19____.

[Signature: Dale E. Wetzel]

Notary Public in and for the State of _____
residing at _____

EXHIBIT "A"
 US WEST COMMUNICATIONS, INC.
 Property of Steven M. Carson and Joanne Carson

Located in NW Quarter SW Quarter and the SW Quarter SW Quarter of Section 10, T39S, R9E, WM
 Klamath County Oregon
 As of this date known as Tax Lot 1202.

The westerly ten feet, approximately 2,251 +/- square feet, of the property described in a Statutory Warranty Deed recorded in the Records of Klamath County on April 22, 1991, as Deed Number K-43062, Volume M91, Page 7359 and identified as Tax Lot 1202 in the Records of the Klamath County Assessor's Office. The property is described as follows:

A tract of land situated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 39 South, Range 9, E.W.M. and being a portion of Tract 12, Supplemental Plat of Altamont Ranch Tracts and being more particularly described as follows:

Beginning at an iron pin which bears N. 88°55'18" W. a distance of 1238.72 feet and S. 0°06'00" E. a distance of 60.0 feet from the Northeast corner of said Tract 12, Altamont Ranch Tracts, said point also being the Northeast corner of parcel described as Parcel 2 in deed to Klamath County, recorded in Volume M91 page 745, Deed records of Klamath County, Oregon; thence S. 88°55'18" E. a distance of 149.99 feet to an iron pin; thence along the arc of a 110 foot radius curve to the right a distance of 131.13 feet to an iron pin; thence S. 35°28'03" E. a distance of 154.53 feet to an iron pin; thence along the arc of a 240 foot radius curve to the left a distance 70.82 feet to a point on the North right-of-way line of Bristol Avenue; thence along said right-of-way line S. 89°56' W. a distance of 376.25 feet to an iron pin marking the Southeast corner of said Parcel 2 described above; thence N. 0°10'50" E. along the East line of said parcel a distance of 225.13 feet to the point of beginning.

Together with the Westerly Ten (10) feet of the following described property being a parcel of land approximately 5,216 square feet: A tract of land situated in tracts 13 and 14 of "Supplemental Plat of Altamont Ranch Tracts", according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, and a portion of vacated Bristol Avenue, being in the SW 1/4 SW 1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

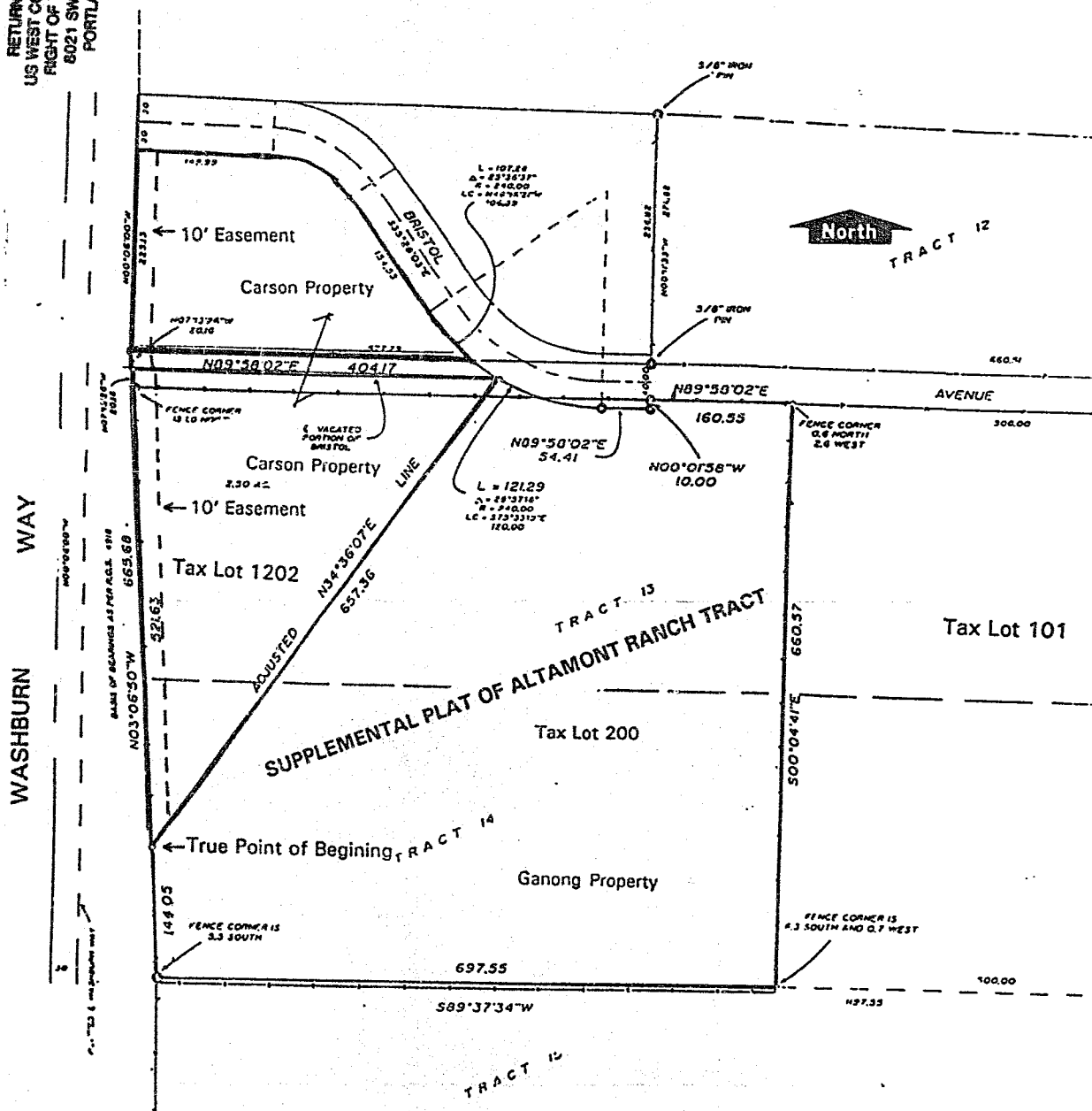
Beginning at a point on the Easterly Right of Way line of Washburn Way (said Right of Way as shown on recorded Survey No. 4918) from which the Southeast corner of said Tract 14 bears S00°06'50"E 144.05 feet and N89°37'34"E 1197.55 feet; Thence N03°06'50"W, along said Easterly Right of Way line, 521.63 feet to the intersection with the center line of vacated Bristol Avenue; Thence N89°58'02"E 404.17 feet; Thence S34°36'07"W 657.36 feet to the point of Beginning, containing 2.50 acres and with bearings based on the recorded survey of said property line adjustment 2-96. (TruLine Surveying, Inc. March 7, 1996.)

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

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Deputy.

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