

28227

INDEX PAGE FOR DOCUMENT RECORDING
PLACE RECORDING STAMP/SEAL
IN SPACE PROVIDED AT RIGHT.

Vol. 796 Page 35698

After recording return to:
U S WEST Communications
Right of Way Desk, Room 110
8021 SW Capitol Hill Road
Portland, OR 97219

96 NOV 13 P1:15

EASEMENT

DOCUMENT REFERENCE NUMBER: 9619003\$

GRANTOR NAME(S): THERESA GANONG

Additional names on page of document

GRANTEE:

U S WEST COMMUNICATIONS
8021 SW CAPITOL HILL ROAD
PORTLAND, OR 97219

ABBREVIATED LEGAL DESCRIPTION:

(lot, block, plat name, section, township, range)

SEC. 10, T 39 S, R 9 E W. M. TL 200

Complete legal description is on page 4

ASSESSOR'S PROPERTY TAX PARCEL ACCOUNT NUMBER(S):

(State Of Washington Requirement)

Page 1 of 4 pages

25

EASEMENT

35699 Job 52RB014

R/W Reference 96190038

The Undersigned Grantor(s) for and in consideration of

One hundred Fifty Dollars (\$ 150.00) 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 Exhibit "A" & "B"

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

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 26 day of June, 19 96.

Witness:

By:

THERESA GANONG

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

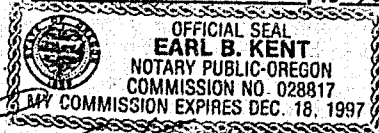
(Individual Acknowledgement)
State of OR
County of KLAMATH } ss

On this day personally appeared before me

THERESA GANONG

known to me to be the individual who executed the foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes herein mentioned.

Given under my hand and official seal this 26th day of JUNE, 19 96



Notary Public in and for the State of Oregon
residing at 1445 LEWIS ST, Klamath Falls, OR

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

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 _____.

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

96190038

EXHIBIT "A"
US WEST COMMUNICATIONS, INC.
Property of Theresa Ganong

Located in SW Quarter SW Quarter of Section 10, T39S, R09E, W.M.
Klamath County Oregon
As of this date known as Tax Lot 200.

The Westerly ten feet of the property described in a Deed recorded in the Records of Klamath County on October 2, 1995, as Deed Number K-48413-S, Volume M95, Page 27433 and identified as Tax Lot 200 in the Records of the Klamath County Assessor's Office. The property is described as follows:

All of Lots 13 and 14, ALTAMONT RANCH TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, EXCEPT the East 500 feet; ALSO EXCEPT Beginning at the Northwest corner of Lot 13 of Altamont Ranch Tracts in Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence South 88°40' East 20 feet; thence South 4°25' East 531.5 feet; thence South 0°06' East 109 feet; thence North 88°40' West 60 feet, thence North 0°06' West 639 feet to the point of beginning; AND ALSO EXCEPTING that portion conveyed to Klamath County by Deed recorded January 11, 1991 in Volume M 91 at Page 745, Deed records of Klamath County, Oregon.

AND ALSO EXCEPTING THAT PORTION CONVEYED to Steven M. Carson and Joanne Carson, husband and wife, in Warranty Deed No. 15453 recorded March 27, 1996, Volume M96, Page 8444 being more particular described as: A tract of land situated in tracts 13 and 14 of "Supplemental Plat of Altamont Ranch Tracts", 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. (Trueline 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

35701

94190038

This is a detailed plat map of the Supplemental Plat of Altamont Ranch Tract. The map shows the following features:

- Tracts and Lots:**
 - TRACT 12:** Located at the top right, labeled "TRACT 12".
 - TRACT 13:** Located in the center, labeled "TRACT 13".
 - TRACT 14:** Located at the bottom, labeled "TRACT 14".
 - Tax Lot 1202:** A large lot on the left side.
 - Tax Lot 200:** A lot in the center-right area.
 - Tax Lot 101:** A lot on the far right.
- Properties and Owners:**
 - Carson Property:** Located to the north of Tax Lot 1202.
 - Ganong Property:** Located to the south of Tax Lot 200.
- Boundaries and Measurements:**
 - North:** Indicated by a north arrow pointing towards the top right.
 - Washburn Way:** A road running vertically along the left edge.
 - Avenue:** A road running horizontally across the middle.
 - Property Lines:** Defined by bearings and distances. Examples include:
 - Top boundary: $N89^{\circ}50'02"E$ 160.55
 - Right boundary: $S00^{\circ}04'41"W$ 660.37
 - Bottom boundary: $S89^{\circ}37'34"W$ 589.33
 - Left boundary: $N09^{\circ}58'02"E$ 104.17
 - Internal lot boundaries: $N54^{\circ}30'07"E$ 697.36, $N09^{\circ}50'02"E$ 34.41, $N00^{\circ}01'58"W$ 10.00, etc.
- Easements and Other Features:**
 - 10' Easement:** Indicated on the western boundary of Tax Lot 1202.
 - Fence Corners:** Marked with "FENCE CORNER IS 10' WEST", "FENCE CORNER IS 2.5' SOUTH", and "FENCE CORNER IS 2.5' SOUTH AND 0.1' WEST".
 - Unsurveyed Portion:** Labeled "UNSURVEYED PORTION OF OTHER TRACT" in the upper central area.

RETURN TO GRANTEE AT:
US WEST COMMUNICATIONS INC
RIGHT OF WAY DESK, RM 110
3021 SW CAPITOL HILL RD
PORTLAND, OR 97219

Bernetha G. Letsch County Clerk
By Ruthen Ross