

28425

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

Vol. 1796 Page 36094

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

\* Does NOT convey real estate  
fee title (ORS 205.234, d, e)

**EASEMENT \***

DOCUMENT REFERENCE NUMBER: 9620404.8

GRANTOR NAME(S): \_\_\_\_\_

HIGH VALLEY PROPERTIES, PARTNERSHIP

Additional names on page 2 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. 15, T 39 S, R 9 E, W. M.

Complete legal description is on page 2

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

(State Of Washington Requirement)

Page 1 of 3 pages

96 NOV 18 P2:11

OK  
20-

RW Reference 9620404\$

The Undersigned Grantor(s) for and in consideration of FIVE HUNDRED NINETY and no/100

Dollars (\$ 590.00 ) 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:

**Section 15, Township 39 South, Range 9 East, Willamette Meridian**

A tract of land situated within that certain tract conveyed to High Valley Properties, a partnership by Warranty Deed Volume M39 Page 14380 of the Klamath County deed records described as beginning at a point at the Southeast corner of said tract, said point being at an iron pin on the Northerly Right-of-Way line of Anderson Avenue from which the Southeast corner of Lot 33 of ALTAMONT RANCH TRACTS in the county of Klamath bears South 0° 06' East 10.0 feet and South 88° 46' East 306.5 feet distant; thence North 88° 46' West along the Northerly line of said Anderson Road 20 feet; thence North 0° 06' West 30 feet; thence South 88° 46' East 20 feet to the East line of said above Deed Volume M39 Page 14330; thence South along the East line 30 feet to the point of beginning.

As shown on EXHIBIT "A" attached hereto and by this reference made a part hereof.

US West agrees to release the Easement recorded in Vol. M92 Page 15976.

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 17<sup>th</sup> day of MAY, 19 96.

Witness:

By: HIGH VALLEY PROPERTIES, a PARTNERSHIP

(Individual Acknowledgement)

State of Oregon

County of Klamath

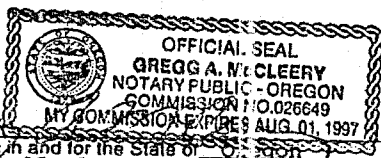
On this day personally appeared before me

Alan W. Eberlein, Neal L. Eberlein,  
Carol L. Eberlein and Susan K. Eberlein

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

Given under my hand and official seal this 17th day of May, 19 96.

Notary Public in and for the State of Oregon residing at Medford



(Corporate Acknowledgement)

State of \_\_\_\_\_

County of \_\_\_\_\_

On this day personally appeared before me

who did say he/she is the \_\_\_\_\_

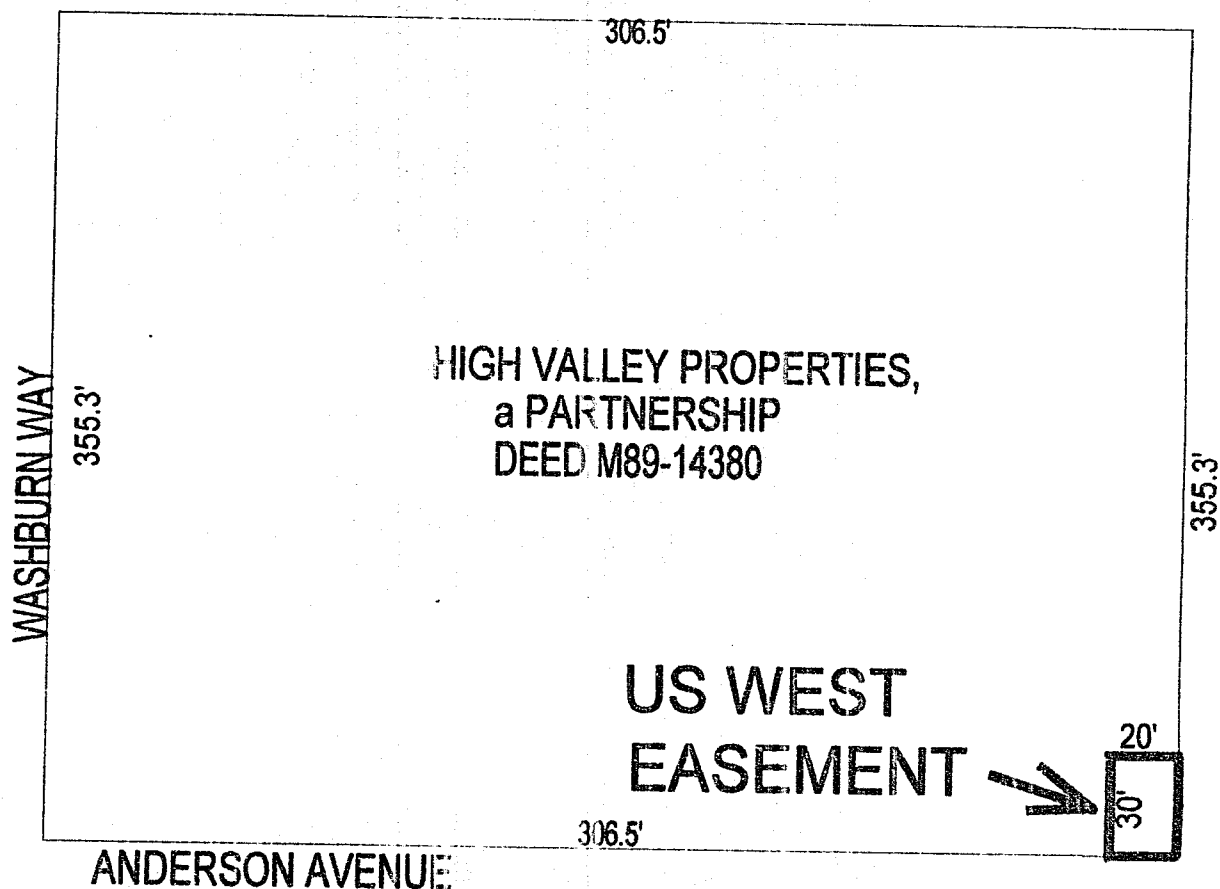
of the corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and an oath stated that \_\_\_\_\_ was/were authorized to execute said instrument on behalf of the corporation.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

Notary Public in and for the State of \_\_\_\_\_ residing at \_\_\_\_\_

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

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

## EXHIBIT "A"



RETURN TO GRANTEE AT:  
US WEST COMMUNICATIONS INC.  
RIGHT OF WAY DESK, RM 110  
8021 SW CAPITOL HILL RD  
PORTLAND, OR 97216

52RK052  
9620404\$

PLAT OF USWEST EASEMENT	
Job #52RK052	
Washburn Way & Anderson Ave.	
Sec. 15, T.39S., R9E., W.M.	
Tax Lot 39 09 15BB-400	
Klamath County, Oregon	
Drawn for: W&H Pacific, Beaverton Oregon	
By: Gregg A. McCleery	May 16, 1996

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of U.S. West the 18th day  
of November A.D., 19 96 at 2:11 o'clock PM., and duly recorded in Vol. M96,  
of Deeds on Page 36094.

FEE \$20.00

Bernetha G. Letsch County Clerk  
By Richard Ross