

28427

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

Vol. 796 Page 361C1

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: 96299068

GRANTOR NAME(S): RUNNING Y RESORT INC

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. 9, T38S, R8E, W.M.

Complete legal description is on page 3

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

(State Of Washington Requirement)

Page 1 of 4 pages

96 NOV 18 P2:11

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The Undersigned Grantor(s) for and in consideration of MUTUAL BENEFITS

Dollars(\$ 0) 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:

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

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 10<sup>th</sup> day of October, 1996.

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

By: [Signature]  
General Manager  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RUNNING Y RESORT, INC.

(Individual  
Acknowledgement)

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss  
On this day personally appeared before me

\_\_\_\_\_

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

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

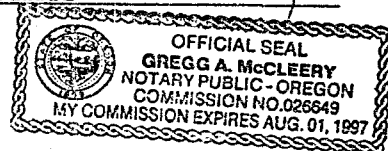
Notary Public in and for the State of \_\_\_\_\_  
residing at \_\_\_\_\_

(Corporate  
Acknowledgement)

State of Oregon }  
County of Klamath } ss  
On this day personally appeared before me  
Sheridan Atkinson

who did say he/she is the \_\_\_\_\_  
General Manager  
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 \_\_\_\_\_ he \_\_\_\_\_ was/were authorized to execute said instrument on behalf of the corporation. Given under my hand and official seal this 10th day of October, 1996.

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



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

## EXHIBIT "A"

96299068

Section 9, Township 38 South, Range 8 East, Willamette Meridian

All that property being a portion of Lot 86 of Running "Y" Resort, Phase 1, as shown on that map recorded in Klamath County Survey records as CS 20-605, also being a portion of said Section 9, described as follows:

Commencing at the property corner common to Lots 85 and 86 of said Running "Y" Resort Phase 1, said corner also being on the Northerly Right-of-Way of Blue Heron Road, thence along said northerly Right-of-Way, along the arc of a 470.00 foot radius curve to the left, through a central angle of  $4^{\circ} 00' 09''$ , an arc length of 32.83 feet (the chord of which bears South  $83^{\circ} 21' 06''$  East, 32.83 feet) to the True Point of Beginning; thence Continuing along said curve, through a central angle of  $3^{\circ} 57' 21''$  an arc length of 32.45 feet (the chord of which bears South  $87^{\circ} 19' 51''$  East, 29.99 feet); thence North  $00^{\circ} 39' 50''$  East, 35.00 feet to a point on a non-tangent curve; thence along the arc of a 435.00 foot radius curve to the right, through a central angle of  $3^{\circ} 37' 05''$ , an arc length of 30.00 feet (the cord of which bears South  $87^{\circ} 19' 51''$  East 29.99 feet), thence South  $4^{\circ} 40' 28''$  West, 35.00 feet to the True Point of Beginning.

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

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

20-1996 15:27

WBN PACIFIC

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EXHIBIT "B"

96299068

LOT 85

LOT 86

EXHIBIT MAP

FOR

U.S. WEST EASEMENT  
LOCATED IN LOT 86, SECTION 9,  
TOWNSHIP 28 SOUTH, RANGE 8 EAST,  
MILLWATTE MERIDIAN, KLAMATH COUNTY,  
OREGON, TRACT 1319

RETURN TO GRANTEE AT:  
US WEST COMMUNICATIONS INC  
RIGHT OF WAY DESK, RM 110  
8021 SW CAPITOL HILL RD  
PORTLAND, OR 97239-0

ROAD

BLUE HERON



OREGON  
JULY 18, 1964  
BRIAN W. REEVES  
2577  
RENEWAL DATE 12-31-96

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ U.S. West  
of \_\_\_\_\_ November \_\_\_\_\_ A.D., 19 96 at 2:11 o'clock \_\_\_\_\_ P. M., and duly recorded in Vol. \_\_\_\_\_ M96  
of \_\_\_\_\_ Deeds \_\_\_\_\_ on Page 36101

FEE \$25.00

Bernetha G. Letsch County Clerk  
By Arthur R. Rasmussen