

28428

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

Vol. m 96 Page 36105

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: 96299078

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, T 38 S, R 8 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

ck
20-

R/W Reference 9629407 \$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:

SECTION 9, TOWNSHIP 38 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN

A tract of land located in said Section 9, being a portion of the Running "Y" Resort, Phase 1, as recorded in the plat of records of Klamath County Oregon. Said tract more particularly described as follows:

Commencing at the Southeast corner of Lot 83 of said Running "Y" Resort, Phase 1; thence North 49° 46' 24" East, 60.01 feet to the Northeasterly Right-of-Way line of Merganser Road and the point of beginning; thence along said Right-of-Way line and along a 205.00 foot radius curve, concave Southwesterly, said curve having a central angle of 05° 35' 31", 20.01 feet, the chord of which bears North 42° 12' 24" West, 20.00 feet; thence leaving said Right-of-Way line, North 47° 47' 36" East, 30.24 feet; thence South 42° 12' 24" East, 20.00 feet; thence South 47° 47' 36" West, 30.24 feet to said Right-of-Way line and the Point of Beginning. Containing 602 square feet, more or less.

The basis of bearing for this description is per the plat of Running "Y" Resort, Phase 1, Plat Number 20-605 of the Klamath County Plat Records. See EXHIBIT "A" attached hereto.

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 16th day of October, 1996.

Witness: _____

By: RUNNING Y RESORT, INC.

Atch L. Atch
General Manager

(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)

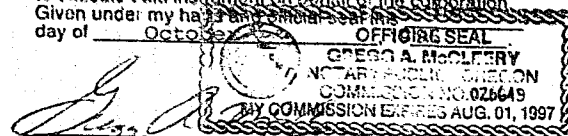
State of Oregon }
County of Klamath } ss

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 _____ was 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 Oregon residing at Medford

RETURN TO GRANTEE AT:
U S 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

36107

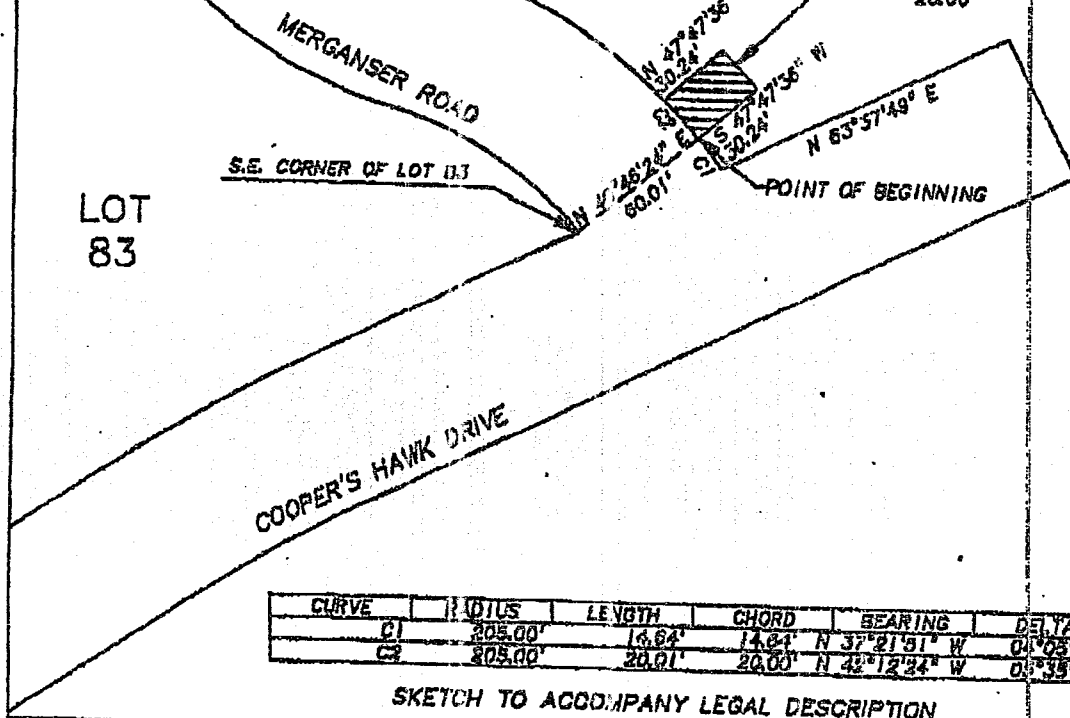
RETURN TO GRANT-AT
US WEST COMMUNICATIONS INC.
RIGHT OF WAY TASK PM 110
8021 SW CAMPTON HILL RD
PORTLAND, OR 97219

EXHIBIT "A"

U.S. WEST EASEMENT

96299078

SCALE: 1" = 60'



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

NO.	REVISION	BY	DATE	APP.
SURVEYED BY: RUNNING "Y" RESORT SEC. 9, TSP. 38 S., R. 8 E. KLAMATH COUNTY, OREGON				
W&H PACIFIC		3222 SOUTH 6TH STREET KLAMATH FALLS, OR 97601		
FAX: (503) 824-8045		FAX: (503) 822-8105		
SPECIALTY SURVEYING & ENGINEERING		LANDSCAPE ARCHITECTURE & ENVIRONMENTAL SERVICES		
SCALE: 1" = 60'		PLOT DATE: 8/20/96		SHEET 1
DRAWN BY: K.O.M.		FILE NAME: MERCANTI 012		

R-95%

10-07-96 01:33PM P003 #12

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 P.M., and duly recorded in Vol. M96,
of Deeds on Page 36105.

FEE \$20.00

Bernetha G. Letsch, County Clerk

By Kathleen Rose