

32008

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

Vol. 177 Page 2669

97 JAN 29 P3:01

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: 97020048

GRANTOR NAME(S): _____

DALE HIMELWRIGHTLOIS M. HIMELWRIGHT

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 3, T 32S R 9EComplete legal description is on page 2**ASSESSOR'S PROPERTY TAX PARCEL ACCOUNT NUMBER(S):**

(State Of Washington Requirement)Page 1 of 3 pagescb
20-

EASEMENT

Job #52RK052

2670

R/W Reference 97020045

The Undersigned Grantor(s) for and in consideration of FIVE HUNDRED NO/100*

Dollars (\$ 500.00) 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:

*Payment of consideration will be made within 45 days from the date herein.

Section 3, Township 39 South, Range 9 East, Willamette Meridian

Easement Area being a portion of that certain tract conveyed to Dale Himelwright and Lois M. Himelwright in deed recorded in Volume M71, Page 4312 of Klamath County Deed Records and described as: A part of the S 1/2 SW 1/4 SW 1/4 SW 1/4 of said Section 3; beginning on the North line of said fractional subdivision 60 feet West from the Northeast corner thereof and go thence West on the north line thereof 550 feet to the east Right-of-Way of Washburn Way; thence South on said Right-of-Way line 300 feet to the North Right-of-Way line of Hilyard Avenue; thence East on said Right-of-Way line 550 feet to the point due South from the point of beginning; thence North 300 feet to the point of beginning.

Said Easement Area described as beginning at the centerline of said Washburn Way at the South line of above described tract (also being the North line of Hilyard Avenue), thence East along said South line approximately 320 feet to the Point of Beginning the Easement Area; thence continuing East along said South line 15 feet; thence North 15 feet; thence West 15 feet; thence South 15 feet to the point of beginning of this Easement area. As shown on EXHIBIT "A" attached hereto and by this reference made apart hereof.

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 8th day of January, 1997

Witness:

By:

Dale Himelwright

Lois M. Himelwright

(Individual Acknowledgement)

State of Oregon

County of Klamath

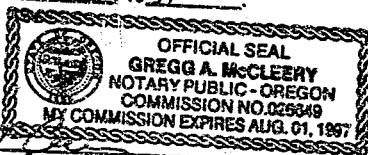
On this day personally appeared before me

Dale Himelwright and

Lois M. Himelwright

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 8th day of January 1997



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

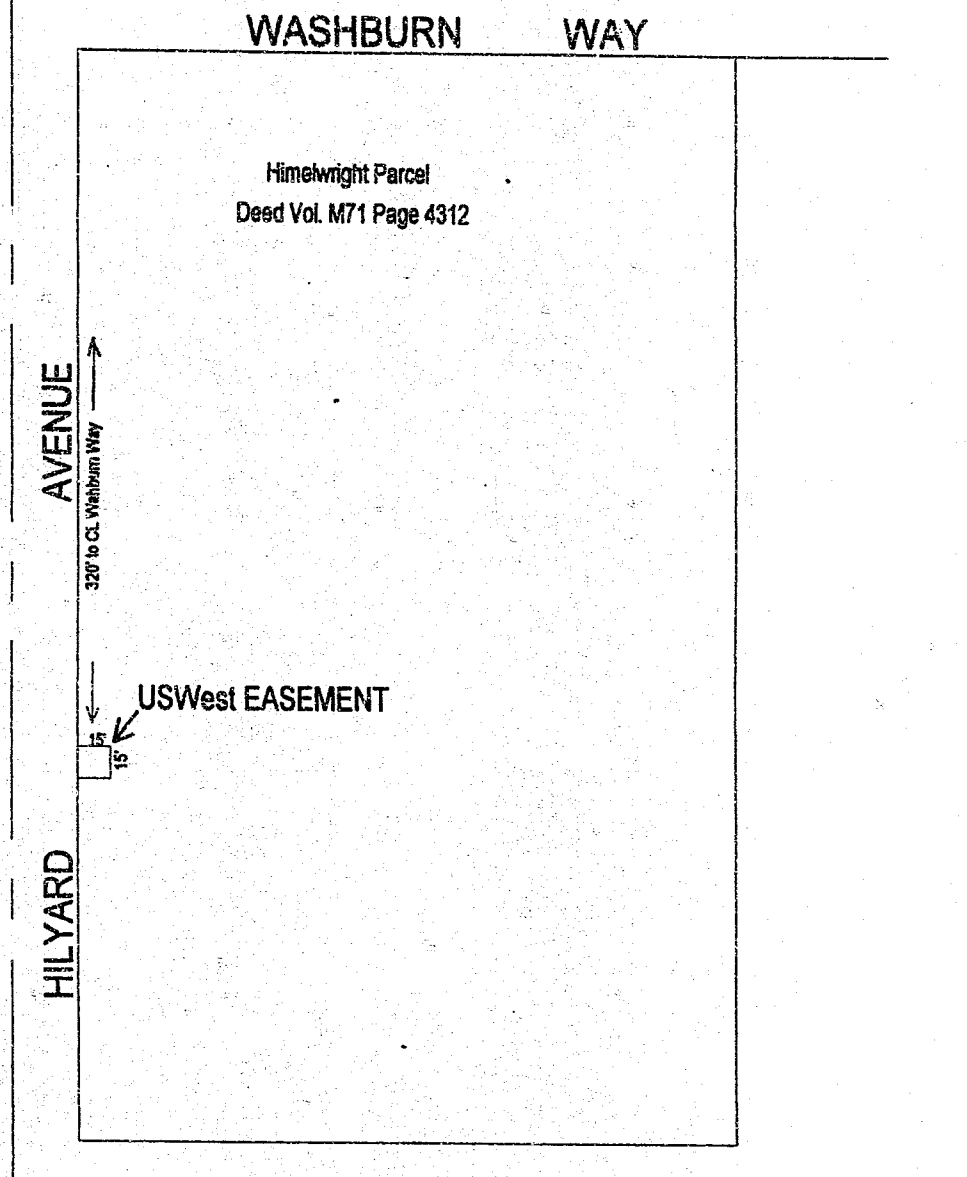
RETURN TO GRANTEE AT:
US WEST COMMUNICATIONS INC.
RIGHT OF WAY DESK, RM 110
8021 SW CAPITOL HILL RD
PORTLAND, OR 97219

DH.
JMH

EXHIBIT "A"

97020045

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



PLAT OF USWest EASEMENT

Job # 52RK052

Washburn Way & Hilyard Ave.

Sec. 3, T. 39 S., R. 9 E., W.M.

Tax Lot 39 09 03CC- 400

Klamath County, Oregon

Drawn for: W&H Pacific, Beaverton, Oregon

By: Gregg A. McCleery January 7, 1997

STATE OF OREGON,
 County of Klamath ss.

Filed for record at request of:

U.S. West

on this 29th day of January A.D., 1997
 at 3:01 o'clock P. M. and duly recorded
 in Vol. M97 of Deeds Page 2669

Bernetha G. Leisch, County Clerk

By Kathleen Rose

Fee,

\$20.00

Deputy