

36758

PLACE RECORDING STAMP/SEAL
IN SPACE PROVIDED AT RIGHT.Vol. 1197 Page 12813

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 265.234, d, a)

97 APR 28 P 2:37

EASEMENT *

DOCUMENT REFERENCE NUMBER: 97062028GRANTOR NAME(S): HOWARD K. BROWNAdditional names on page 1 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)

TL 800, SEC. 7, T 37 S, R 9 E, W. M.Complete legal description is on page 2

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

N/A
(State of Washington Requirement)Page 1 of 4 pages

25

EASEMENT

JOS 2RC330

12869

R/W Reference 97062027

The Undersigned Grantor(s) for and in consideration of TEN AND NO/100

Dollars \$ 10.00) 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, 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 7, Township 37 South, Range 9 East, Willamette Meridian
(3767-07-600, 800)

As shown on EXHIBIT "A" attached hereto and by this reference made apart 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 12th day of February, 19 97

Witness:

By *Howard K. Brown*

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

(Individual
Acknowledgement)

State of Oregon

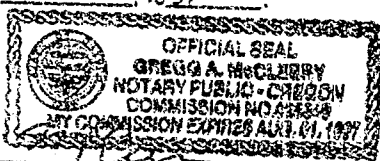
County of Klamath

On this day personally appeared before me

Howard K. Brown

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

Given under my hand and official seal this 12th day of February, 19 97



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 no/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 _____

12510

97062028

EXHIBIT "A"**SECTION 7, TOWNSHIP 37 SOUTH, RANGE 9 EAST, WILLAMETTE MERIDIAN**
(3709-07-600 and 800)

A 10 foot wide easement with the cable as placed as the centerline, following an existing private road, on, over and across the following:

All that portion of the S 1/2 of the NE 1/4 of said Section 7, which lies Southerly of that certain right of way deeded to the Algoma Lumber Company on October 3, 1914, as shown by Deed Records of Klamath County, Oregon in Volume 42, Page 557.

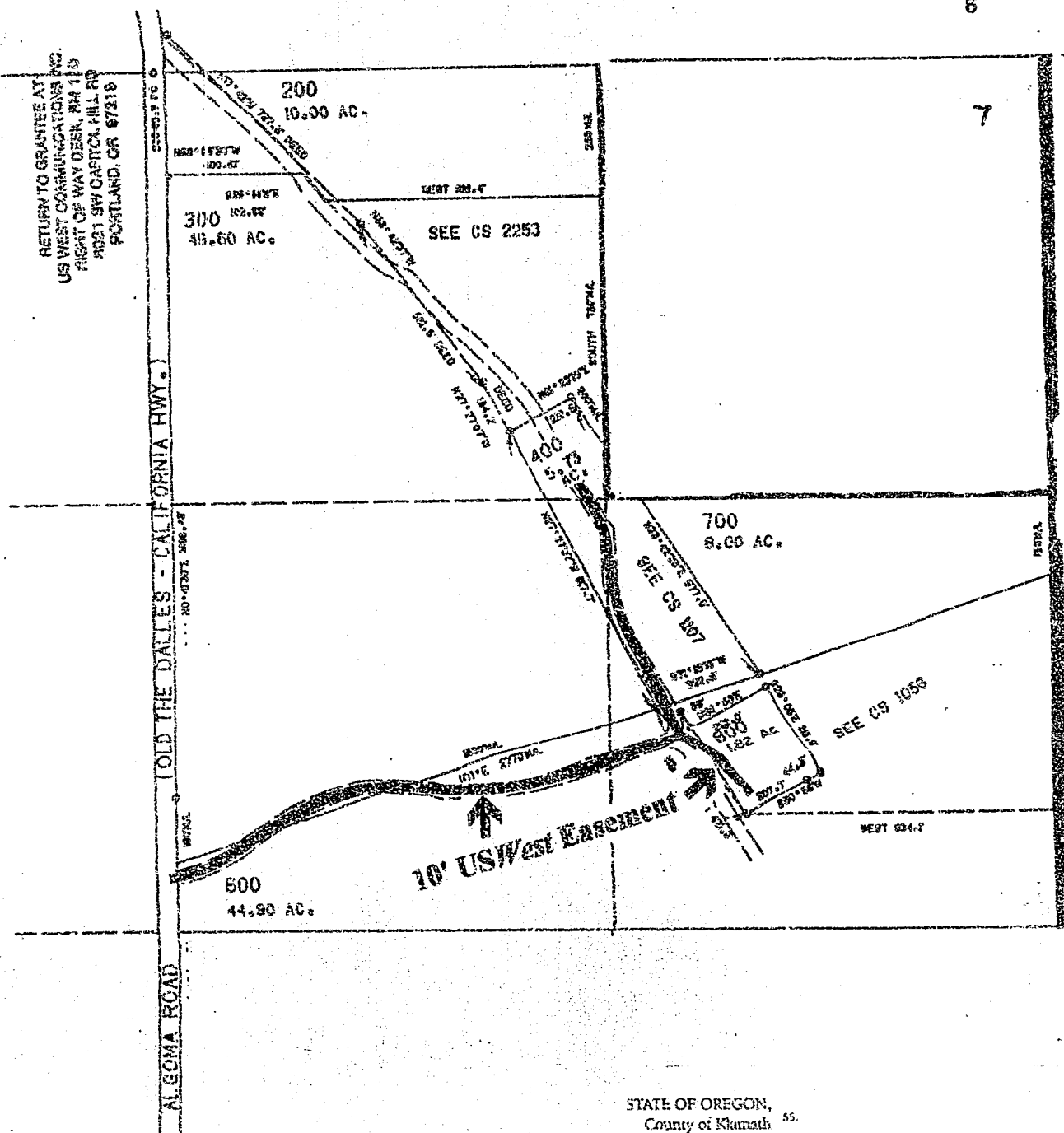
As shown on EXHIBIT "B" attached hereto and by this reference made apart hereof.

RETURN TO GRANTEE AT:
US WEST COMMUNICATIONS INC
RIGHT OF WAY DEPT, RM 110
8001 SW CARTER HILL RD
PORTLAND, OR 97218

Exhibit "B"

6

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97062028

PLAT OF USWEST EASEMENT

Job #62RC330

Algoma Road, Klamath Falls

Sec. 7, T. 37 S., R. 9 E., W.M.

Tax Lot 3709-67-600 and 800
Klamath County, OregonPrepared for: W&H Pacific, Beaverton, Oregon
By: Gregg A. McCleary January 24, 1997STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

U.S. West

on this 28th day of April A.D., 1997
at 2:37 o'clock P. M. and duly recorded
in Vol. M97 of Deeds Page 12808

Bernetha G. Letsch, County Clerk

By Kathleen Ross
Fee, \$25.00 Deputy