

37591

PLACE RECORDING STAMP/SEAL
IN SPACE PROVIDED AT RIGHT.

Vol. 1997 Page 14612

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
see title (ORS 205.234, d, e)

EASEMENT *

DOCUMENT REFERENCE NUMBER: 9710454 OR

GRANTOR NAME(S): LEON DOUGLAS DENSE

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 16, T 25 S, R 5 W, WM

Complete legal description is on page 3

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

N/A

(State Of Washington Requirement)

Page 1 of 4 pages

EASEMENT

Job #72RN34A

14613

R/W Reference 97104540R

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

Collins (\$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:

SECTION 16, TOWNSHIP 25 SOUTH, RANGE 5 WEST, WILLAMETTE MERIDIAN
(25-5-16DB-2302)

As shown on EXHIBITS "A" AND "B" attached hereto and by this reference made apart hereof.

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

Accepted by
Manager Right-of-Way Operations

situated in County of Douglas 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 28TH day of MARCH, 1997.

Witness: By: Leon Douglas Dense

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)

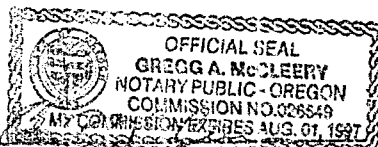
State of Oregon }
County of Douglas } ss

On this day personally appeared before me

Leon Douglas Dense

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 28th day of March, 1997.



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

(Corporate
Acknowledgement)

State of }
County of } ss

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

EXHIBIT "A" 97104540R**SECTION 16, TOWNSHIP 25 SOUTH, RANGE 5 WEST, WILLAMETTE MERIDIAN**
(25- 5- 16DB-2302)

A part of Lot 7, Block 1, Southerlin Land and Water Co., Plat "A" and being more fully described as follows: Beginning at the point of intersection of the South line of First Avenue and the West line of Grove Lane as shown on the plat of Casa De Loma; thence South 89° 53' 26" West along the South line of said First Avenue 162.46 feet to the Northeast corner of that property as described in Volume 807, Page 115, deed records of Douglas County Oregon; thence South 01° 30' East along the East line of said property 316.00 feet to the Southeast corner of said property; thence North 89° 53' 26" East 5.00 feet, and the true point of beginning of this description, thence South 89° 53' 26" West 356.08 feet to the East Right-of-Way line of Pear Avenue, as shown on the plat of Casa De Loma, thence South 01° 30' 00" East along said east line of Pear Avenue 247.62 feet to the intersection of the East Right-of-Way line of Pear Avenue and the Northerly Right-of-Way line of Central Avenue, thence Northeasterly along the Northerly Right-of-Way line of Central Avenue 444.0 feet, more or less, to a point that bears South 43° 57' 30" East of the true point of beginning, thence North 43° 57' 30" West 62 feet, more or less, to the true point of beginning.

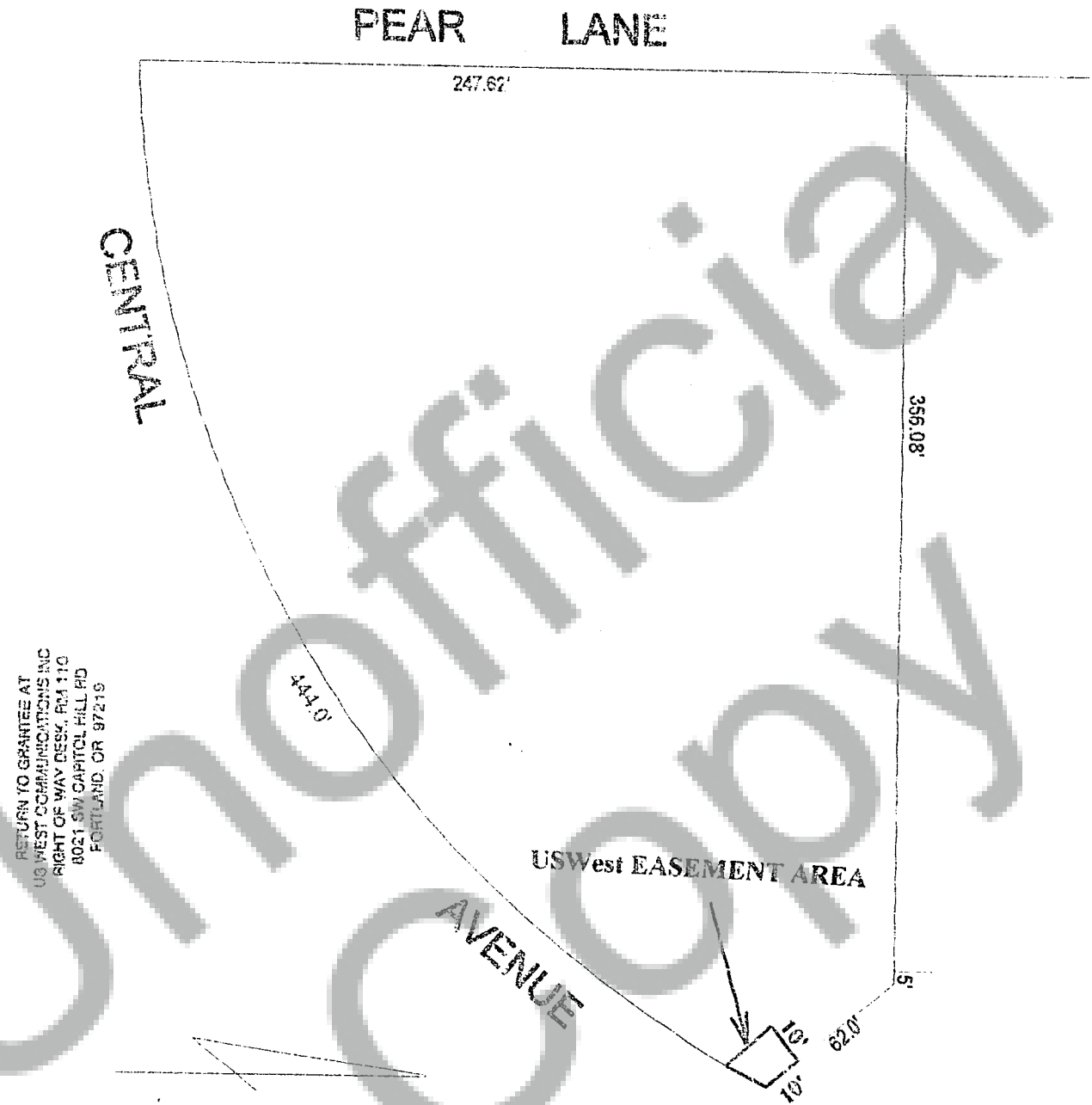
Easement area being further described as beginning at the Southeast corner of above described tract; thence Northwesterly along the Easterly line 10'; thence Southwesterly 10'; thence Southerly and parallel with said East line, to a point on the North line of Central Avenue; thence following the North line of Central Avenue to the point of beginning of this easement area.

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

BEFORE ME TO GRANTER AT
US WEST COMMUNICATIONS INC
EAST OF WAY DESK, RM 110
3001 SW CAPITOL HILL RD
PORTLAND, OR 97219

14615

EXHIBIT "B"



97104540R

PLAT OF USWest EASEMENT
Job #72RN344
Central Ave. & Pear Ln., Southerlin
Sec. 16, T. 25 S., R. 5 W., W.M.
Tax Lot 25-5-16DB-2302
Douglas County, Oregon
Drawn for: W&H Pacific, Beaverton Oregon
By: Gregg A. McClary March 18, 1997

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

U.S. West Comm.

on this 13th day of May A.D., 1997

at 1:37 o'clock P. M. and duly recorded

in Vol. M97 of Deeds Page 14612

Bernetha G. Letsch, County Clerk

By Kathleen R. Ross

Fee, \$10.00

Deputy