

37593

PLACE RECORDING STAMP/SEAL  
IN SPACE PROVIDED AT RIGHT.

Vol. 1997 Page 14619

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: 9711551OR

GRANTOR NAME(S): MICHAEL D. RYSER

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. 1, T 39 S, R 9 E, WM

Complete legal description is on page 2

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

N/A  
(State Of Washington Requirement)

Page 1 of 23 pages

97 MAY 13 P137

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

Dollar(\$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, 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 1, Township 39 South, Range 9 East, Willamette Meridian**  
(3909-01-800)

A ten foot wide strip with the cable as placed as the centerline, in the following tract: Beginning at a point which is 662 feet westerly on the northerly right of way line on the Dalles-California Highway, from the southeast corner of the SW 1/4 SE 1/4 of said Section 1, and thence North 1241.46 feet, more or less to the true point of beginning, which point is the southeast corner of "a strip of land 139.3 feet wide", described in a deed from Allen Golden and Beulah Golden, to James Willam Parks, recorded in Klamath County Deed Records page 4 Volume 235; thence South 85° 28' West along the Southerly line of said "strip of land 139.3 feet wide", a distance of 227 feet; thence South, 192 feet; thence N. 85° 28' East, 227 feet; thence North, 192 feet, more or less, to the true point of beginning.

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 16th day of APRIL, 1997.

Witness:

By:

*[Signature]*  
Michael D. Ryser

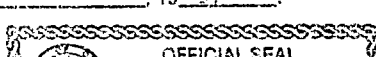
*[Signature]*  
Catherine C. Ryser

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 } ss  
On this day personally appeared before me  
Michael D. Ryser and Catherine C. Ryser

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 16th day of April, 1997.



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

(Corporate Acknowledgement)  
State of \_\_\_\_\_ } ss  
County of \_\_\_\_\_ } ss  
On this day personally appeared before me

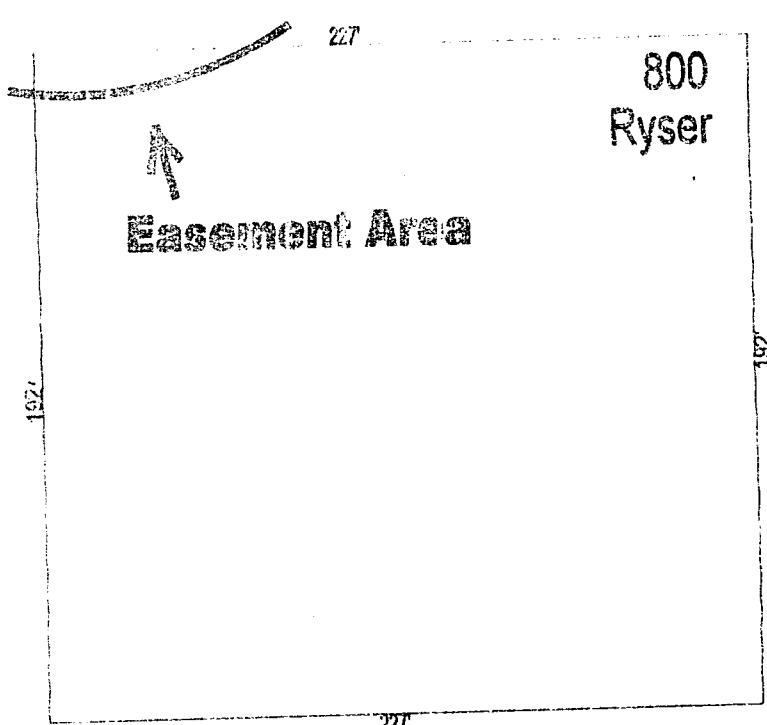
who did say he/she is the \_\_\_\_\_ of the corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and an oath stated that \_\_\_\_\_ was/were authorized to execute 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"



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

97115510R

<b>PLAT OF USWest EASEMENT</b>
Job #53RD811
Unity & S. 6th St., Klamath Falls
Sec. 1, T. 39 S., R. 9 E., W.M.
Tax Lot 3909-01-800
Klamath County, Oregon
Prepared for: W&H Pacific, Beaverton, OR
By: Gregg A. McCleary April 10, 1996

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 14619  
Bernetha G. Letsch, County Clerk  
By Kathleen Russ  
Fec, \$10.00 Deputy