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LEE SCHIMPF  
102 NE 128th. Avenue  
PORTLAND, OR. 97230

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**EASEMENT**

DOCUMENT REFERENCE NUMBER: OR000026

GRANTOR NAME(S):

Giovanni Mangione

GRANTEE: U S WEST Communications, Inc.  
8021 SW Capitol Hill Road  
Portland, OR 97219

ABBREVIATED LEGAL DESCRIPTION (Lot, Block, Plat name, Section,  
Township, Range): Sec. 33 T9S, R20E, WM

Complete legal description is on EASEMENT document.

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

(State of Washington Requirement)

Page 1 of \_\_\_\_ pages.

## RECORDING INFORMATION ABOVE

R/W # OR000026

## EASEMENT AGREEMENT

The undersigned Grantor(s) for and in consideration of FOUR THOUSAND -----  
 -----Dollars (\$ 4000.00 ) and other good and valuable  
 consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto  
 US WEST Communications Inc., a Colorado corporation, hereinafter referred to as "Grantee"  
 Whose address is 700 W Mineral, Littleton Colorado 80120, its successors, assigns, lessees,  
 Licensees and agents a perpetual easement to construct, reconstruct, modify, change, add to,  
 operate, maintain and remove, telecommunications facilities, electrical facilities and  
 appurtenances  
 from time to time, as Grantee may require upon, over, under and across the following described  
 land situated in the County of KLAMATH State of OREGON ,  
 which the Grantor owns or in which the Grantor has any interest. To wit:  
 THE S/1/2 W1/2 W1/2 NE1/4 NE1/4, S1/2 NW1/4 NE1/4 and  
 THAT PORTION OF THE S1/2 NE1/4 NW1/4 OF SECTION 33, TOWNSHIP  
 37 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, IN  
 KLAMATH COUNTY, OREGON, LYING EAST OF AND ADJOINING THE  
 OLD FORT ROAD.  
 SEE EXHIBIT A&B ATTACHED HERETO AND BY THIS REFERENCE MADE A  
 PART HEREOF.

Grantor further conveys to Grantee the following incidental rights:

The right of ingress and egress over and across the lands of Grantor to and from  
 the above-described property and the right to clear and keep cleared all trees and other  
 obstructions as may be necessary for the Grantee's use and enjoyment of the easement area.

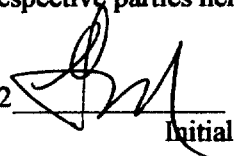
Grantee shall indemnify Grantor for all damage caused to Grantor as a result of Grantee's  
 negligent exercise of the rights and privileges herein granted. Grantee shall have no responsibility  
 for pre-existing environmental contamination or liabilities.

Grantor reserves the right to occupy, use and cultivate said easement for all purposes not  
 inconsistent with the rights herein granted.

Grantor covenants that he/she/they is/are the fee simple owner of said land or in which the  
 Grantor has any interest and will warrant and defend title to the land against all claims.

Grantor hereby covenants that no excavation, building, structure or obstruction will be  
 constructed, erected, built or permitted on said easement area.

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.


 Initial

RECORDING INFORMATION ABOVE

Any claim, controversy or dispute arising out of this Agreement shall be settled in 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.

Dated this 5-3-00 day of MAY 5, 2000

Giovanni Mangione  
Grantor

(official name of company or corporation)

Grantor

By  
Its

Grantor

Attest

Secretary of Corporation

Grantor

(Individual Acknowledgment)

(Corporate Acknowledgment)

STATE OF OREGON }  
COUNTY OF KLAMATH } SS

STATE OF OREGON }  
COUNTY OF \_\_\_\_\_ }

This instrument was acknowledged before me on MAY 3 2000, by Giovanni Mangione

This instrument was acknowledged before me on \_\_\_\_\_ 20\_\_\_\_, by

as \_\_\_\_\_ of



Gary Frasier  
Notary Public  
My commission expires: March 28, 2004

(SEAL)

Notary Public  
My commission Expires:

R/W # 08000026 Job # 91 R 617  
Exchange KLAMATH FALLS County KLAMATH  
1/4 Section \_\_\_\_\_ Section 33 Township 37S Range 9E

**EXHIBIT "A"**

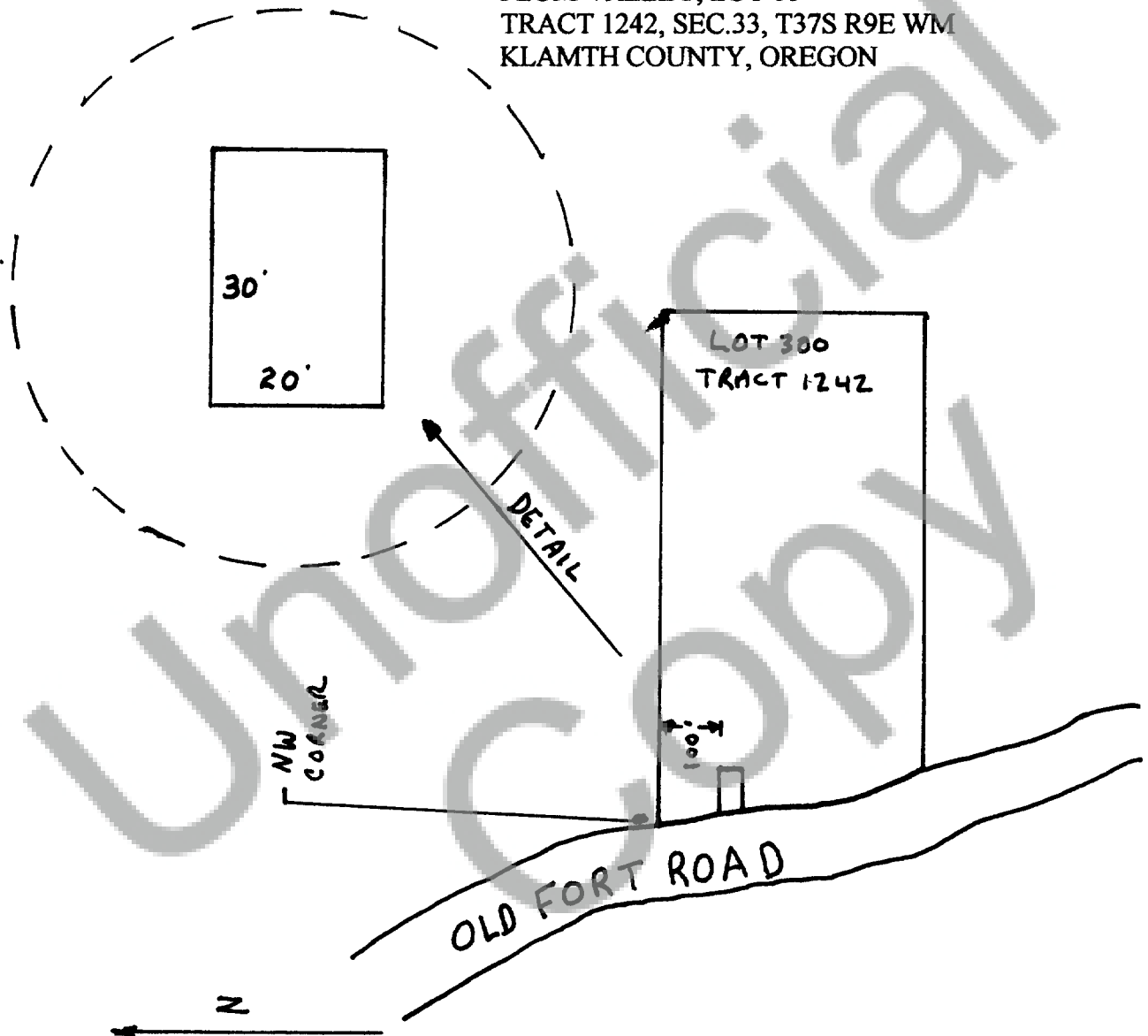
AN AREA OF LAND LOCATED IN S  $\frac{1}{2}$ , W  $\frac{1}{2}$ , NE  $\frac{1}{4}$ , S  $\frac{1}{2}$ , NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , and THAT PORTION OF THE S  $\frac{1}{2}$ , NE  $\frac{1}{4}$ , NW  $\frac{1}{4}$  of SECTION 33, TOWNSHIP 37, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, LYING EAST OF AND ADJOINING THE OLD FORT ROAD. SAID LAND FURTHER DESCRIBED AS FOLLOWS:

STARTING AT THE NORTHWEST CORNER, OF THE ABOVE DESCRIBED PROPERTY, LYING EAST OF AND ADJOINING THE OLD FORT ROAD, SOUTH ALONG PROPERTY LINE 100' (ONE HUNDRED) FEET, THENCE EAST 30 (THIRTY) FEET, THENCE SOUTH 20' (TWENTY) FEET, THENCE WEST 30' (THIRTY) FEET, TO ESTABLISHED PROPERTY LINE ADJOINING THE OLD FORT ROAD, AS DEPICTED IN EXHIBIT "B" ATTACHED HERTO AND BY THIS REFERENCE MADE A PART HEREOF.

**EXHIBIT "B"**

USW JOB#91RP617

PLUM VALLEY, LOT 11  
TRACT 1242, SEC.33, T37S R9E WM  
KLAMTH COUNTY, OREGON



State of Oregon, County of Klamath  
Recorded 06/19/00, at 10:39 a.m.  
In Vol. M00 Page 22112  
**Linda Smith,**  
County Clerk Fee\$ 41.00