

After Recording
Return to:

60
360networks (USA) inc.
143 Union Boulevard, Suite 300
Lakewood, Colorado 80228
Attention: _____

COMMUNICATIONS EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that for good and valuable consideration in the amount of ten dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby confessed and acknowledged, Johnnie and Eldeen Fisher ("Grantors") for themselves and their successors and assigns, do hereby grant, bargain, sell and convey to 360networks (USA) inc., a Nevada corporation, ("Grantee"), its licensees, agents, successors and assigns, a right of way and non-exclusive easement ("Easement" as more particularly described on Exhibit A) to construct, install, operate, maintain, inspect, test, repair, alter, replace or remove a multiple conduit communications system, together with the appurtenances necessary for the operation of said communications system, over, under and across the following described real property which Grantors own, as more particularly described on Exhibit B, attached hereto and incorporated herein by this reference (the "Easement Area"), together with the right of ingress and egress to and from said Easement Area for the purpose of exercising the rights herein.

This Easement shall run with the land and shall inure to the benefit of and be binding upon Grantors and Grantee and their respective heirs, devisees, administrators, executors, successors and assigns.

The Grantors are lawfully seized and possessed of said lands and has the lawful right and authority to enter into and deliver this easement unto Grantee.

The communications privileges herein granted are each divisible and are each assignable or transferable in whole or in part.

This agreement may be executed simultaneously or in counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.

Executed and delivered this 21st day of September, 2000.

GRANTORS:

Johnnie Fisher
Johnnie Fisher

Eldeen Fisher
Eldeen Fisher

34525

GRANTEE:

360NETWORKS (USA) INC.

By: _____

Title: _____

ACKNOWLEDGMENTS

STATE OF OREGON

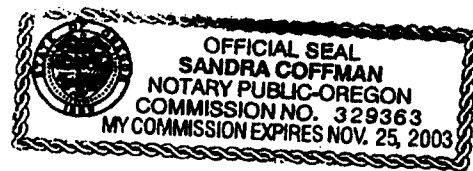
COUNTY OF KLAMATH

On the 21st day of September 2000, before me They personally appeared Johnie Fisher & Elden Fisher personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in their authorized capacities, and that by his/her signature on the instrument, the person, or the entity upon behalf of the person acted, executed the instrument.

Witness my hand and official seal.

Sandra Coffman
Notary Signature

Seal

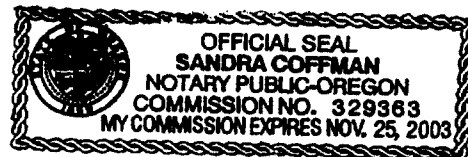
STATE OF ~~COLORADO~~ OregonCOUNTY OF ~~JEFFERSON~~ Klamath

On the 21st day of September, 2000, before me They personally appeared Johnie Fisher & Elden Fisher personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in their authorized capacities, and that by his/her signature on the instrument, the person, or the entity upon behalf of the person acted, executed the instrument.

Witness my hand and official seal.

Sandra Coffman
Notary Signature

Seal



CC 27209

BARGAIN AND SALE DEED

Vol 91 Page 5054

KNOW ALL MEN BY THESE PRESENTS, That JOHNNIE B. FISHER and ELDEEN A. FISHER
 husband and wife, hereinafter called grantor,
 for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto
THE FISHER TRUST

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the
 tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County
 of Klamath, State of Oregon, described as follows, to-wit:

Two parcels of land situated in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T39S, R9 EWM, Klamath County,
 Oregon, being a portion of that tract of land described in Deed Volume 343, Page 362,
 Klamath County Deed Records and being more particularly described as follows:

PARCEL NO. 1: Beginning at a point in the easterly boundary of said Section 25 from which
 the northeast corner of said Section 25 bears North 1293.0 feet; thence S89°33'W along
 the centerline of the County Road 280 feet; thence South parallel with the east line of
 said Section 25 126.0 feet; thence N89°33'E parallel with said County Road 280 feet to the
 east line of said Section 25; thence North along the east line of said Section 25 126.0
 feet to the point of beginning containing 0.81 acres, more or less, including the County
 Road and the State Highway right-of-way.

PARCEL NO. 2: Beginning at the northwest corner of that tract of land described in said
 deed record, said point being South 1293.0 feet and S89°33'W 373.5 feet from the northeast
 corner of said Section 25; thence South parallel with the east line of said Section 25
 52.0 feet; thence N89°33'E parallel with said County Road 13.0 feet; thence North parallel
 with the east line of said Section 25 52.0 feet to the centerline of the County Road;
 thence S89°33'W along the centerline of the County Road 13.0 feet to the point of beginning,
 containing the existing well, pump and pump house.

The above described parcels of land include an easement for the use of and main-
 tenance of the existing waterline connecting the pumphouse on Parcel No. 2 with the
 house on Parcel No. 1. Said parcels of land are subject to an easement for a ditch or
 pipeline to convey irrigation water from the present lateral easterly along the southerly
 side of the County Road.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ Love & Affection

~~However, the actual consideration consists of or includes other property or value given or promised which is~~
 the whole consideration (indicate which). ~~(The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)~~

In construing this deed and where the context so requires, the singular includes the plural and all grammatical
 changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 21st day of March, 19 91.

If a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by
 order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DE-
 SCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND
 USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING
 THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE
 PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR
 COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

(If the signer of the above is a corporation,
 use the form of acknowledgment opposite.)

STATE OF OREGON,

County of Klamath

The foregoing instrument was acknowledged before
 me this 21st day of March, 19 91 by

Johnnie B. Fisher and
Eldeen A. Fisher

Camille Kruizer
 Notary Public for Oregon

My commission expires: 9-22-92

(ORS 194.570)

STATE OF OREGON, County of _____ ss.

The foregoing instrument was acknowledged before me this

_____, 19____, by _____

_____, president, and by _____

_____, secretary of _____

A _____ corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires: _____

(SEAL)

(If executed by a corporation,
 affix corporate seal)

Johnnie B & Eldeen A. Fisher

8206 Highway 39

Klamath Falls, OR 97603

GRANTOR'S NAME AND ADDRESS

THE FISHER TRUST

8206 Highway 39

Klamath Falls, OR 97603

GRANTEE'S NAME AND ADDRESS

THE FISHER TRUST

8206 Highway 39

Klamath Falls, OR 97603

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.
 Same as above

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of Klamath ss.

I certify that the within instru-
 ment was received for record on the
21st day of March, 19 91
 at 11:06 o'clock A.M., and recorded
 in book/reel/volume No. M91 on
 page 5054 or as fee/title/instru-
 ment/microfilm/reception No. 27209,
 Record of Deeds of said county.

Witness my hand and seal of
 County affixed.

Evelyn Biehn, County Clerk
 NAME TITLE

By Pauline M. Mendenhall Deputy

EXHIBIT "A"**Legal Description of Easement**

The Easement shall run along the entire East edge of the Easement Area adjacent to State Highway 39 for ninety-six feet (96') and shall be of a width of five feet (5').

[See Attached Map]

A parcel of land situated in the SE/4 NE/4 of Section 25, T39S, R9 EWM, Klamath County, Oregon more particularly described as follows:

The Westerly 5 feet of the Easterly 35 feet of the property described as Parcel No. 1 in that certain Bargain and Sale Deed recorded in Volume M92 of Deeds, Page 15067, Klamath County Clerk's Office.

EXHIBIT "B"**Legal Description of Easement Area**

County of Klamath, State of Oregon:

Beginning at a point in the easterly boundary of said Section 25 from which the northeast corner of said Section 25 bears North 1293.0 feet; thence S89 33'W along the centerline of the County Road 280 feet; thence South parallel with the east line of said Section 25 126.0 feet; thence N89 33'E parallel with said County Road 280 feet to the east line of said Section 25; thence North along the east line of said Section 25 126.0 feet the point of beginning containing 0.81 acres, more or less, including the County Road and the State Highway right-of-way.

[See Attached Map]

Exhibit B

34531

