Vol MOO Page	34524
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After Recording Return to:

200 SEP 29 MM 8: 01

**Vol. MOO** 

360networks (USA) inc. 143 Union Boulevard, Suite 300 OC 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 2\ st day of 5000m/sc, 2000.

**GRANTORS:** 

been Fisher

Johnnie Fisher

\* Re-necarded

**GRANTEE:** 

360NETWORKS (USA) INC.

By: Jalu

Title: VI/General Cance

35672

# STATE OF COLORADO

COUNTY OF JEFFERSON	
On the day of September, 2000, before personally appeared	4
to me (or proved to me on the basis of satisfactory evidence name is subscribed to the within instrument and acknowled executed the same in their authorized capacities, and that by instrument, the person, or the entity upon behalf of the personstrument.	ged to me that he/she y his/her signature on the
Witness my hand and official seal.  CAN Notary Signature  Sea STAT	MEY J. PADUA TARY PUBLIC E OF COLORADO
My Comm	lasion Expires 05/11/2004

### **ACKNOWLEDGMENTS**

STATE OF OREGON

**COUNTY OF KLAMATH** 

On the day of September 2000, before me The personally appeared Town & Divert & Divert 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.  OFFICIAL SEAL SANDRA COFFMAN NOTARY PUBLIC-OREGON COMMISSION NO. 329363 MY COMMISSION EXPIRES NOV. 25, 2003
STATE OF COLØRADO OF GOOD COUNTY OF JEFFERSON HOMEN
On the a day of September, 2000, before me personally
appeared Johnse Fisher & Ellier 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.
Notary Signature  Seal  OFFICIAL SEAL SANDRA COFFMAN NOTARY PUBLIC-OREGON COMMISSION NO. 329363 MY COMMISSION EXPIRES NOV. 25, 2003

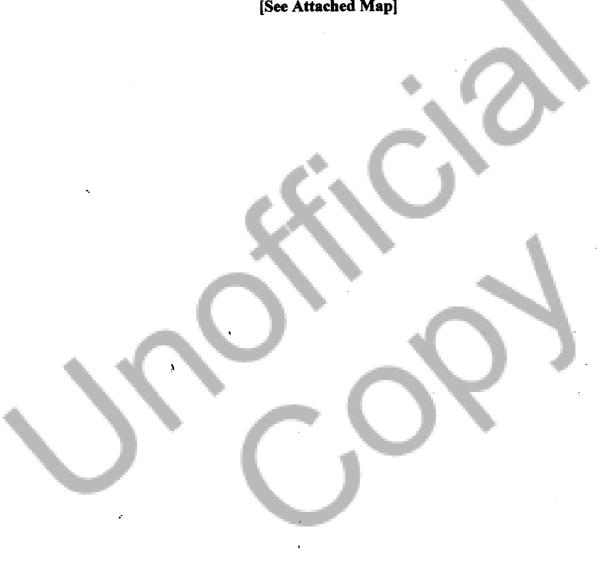
-	Anitation and and anitation
huchand and with	JOHNNIE B. FISHER and ELDEEN A. FISHER
for the consideration hereinafter stated, does hereby grant,	bariain, sell and convey unto
hereinalter called grantee, and unto grantee's heirs, succe	ssor: and assigns all of that certain real property with the elonging 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's NE's o	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 pa	ert:cularly described as follows:
PARCEL NO. 1: Beginning at a point in the e	easyerly 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;	therce South parallel with the east line of
said Section 25 126.0 feet; thence N89 33 E	parilel with said CountyRoad 280 feet to the
east line of said Section 25; thence North a feet to the point of beginning containing, 0.1	R1 acres more or less including the County
Road and the State Highway right-of-way.	i increas, more or ress, increasing the country
	owning of that turns of land described to said
	orner of that tract of land described in said eet and S89 33'W373.5 feet from the northeast
corner of said Section 25; thence South para	llei with the east line of said Section 25
352.0 feet; thence N8933'E parallel with sai	d County Road 13.0 feet: thence North parallel
with the east line of said Section 25 52.0 f	eet 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	hou'se.
The above described narcels of land	
tenance of the existing waterline connecting	include an easement for the use of and main-
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.	i account casterry arong the southerry
UF SPACE INSUFFICIENT, COUTIN	UE G SCRIPTION ON REVERSE SIDE)
To Have and to Hold the same unto the said gran	itee and grantee's heirs, successors and assishs forever.
The true and actual consideration paid for this t	rander, stated in terms of dollars, is \$ Love & Affection
the whole	ude other property or value given or promised which is
part of the consideration (indicate which). (The sentence between the context so re-	reen the symbols O, it not applicable, should be deleted. See ORS 93.030.)
In construing this deed and where the context so re-	quires, the singular includes the plural and all grammatical
In construing this deed and where the context so re- changes shall be implied to make the provisions hereof ap In Witness Whereof, the grantor has executed this i.	quiles, the singular includes the plural and all grammatical ply squally to corporations and to individuals.  Instrument this with a march and the street of
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# **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]

