

01 DEC 11 AM 8:44

Upon Recordation, Return to:  
Qwest Corporation  
8021 SW Capitol Hill Rd.  
Portland, OR 97219

Vol M01 Page 63085

Attn: Florence Mott, Room 160

Job #11RE803

State of Oregon, County of Klamath  
Recorded 12/11/01 8:44 a m.  
Vol M01, Pg 63085-87  
Linda Smith, County Clerk  
Fee \$ 31.00 # of Pgs 3

RECORDING INFORMATION ABOVE

**EASEMENT**

Private Easement  
Individual(s) as Grantor

The undersigned DOUGLAS E. & BILLIE STUMBAUGH  
("Grantor") for and in consideration of Mutual Benefits and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey unto QWEST CORPORATION, a Colorado corporation ("Grantee"), whose address is 1801 California St., Suite 5200, Denver, CO 80202, and its successors, assigns, affiliates, lessees, licensees, and agents, a perpetual non-exclusive easement to construct, modify, add to, maintain, and remove such telecommunications facilities, and other appurtenances, from time to time, as Grantee may require upon, over, under and across the following described property situated in the County of Klamath, State of Oregon, which Grantor owns or in which Grantor has an interest ("Easement Area"), to wit:

An easement as placed, which is situated in the NE 1/4 of Section 30 Township 24S Range 9E and which is further described as an existing utility pathway established by Midstate Electric Cooperative, Inc., 15340 N. Hwy 97, LaPine, Oregon. SEE EXHIBIT "A"

Grantor further conveys to Grantee the right of ingress and egress to and from the Easement Area during all periods of construction, maintenance, installation, reinforcement, repair and removal over and across Grantor's lands with the right to clear and keep cleared all trees and other obstructions as may be necessary for Grantee's use and enjoyment of the Easement Area.

Grantee shall indemnify Grantor for all damages caused to Grantor as a result of Grantee's negligent exercise of the rights and privileges herein granted. Grantee shall have no responsibility for environmental contamination, which is either pre-existing or not caused by Grantee.

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

Grantor covenants that Grantor is the fee simple owner of the Easement Area or has an interest in the Easement Area. Grantor will warrant and defend title to the Easement Area against all claims.

RW # OR01071201

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*AKC*  
*DL*  
*BL*

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Portland, OR 97219

63086

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Job #11RE803

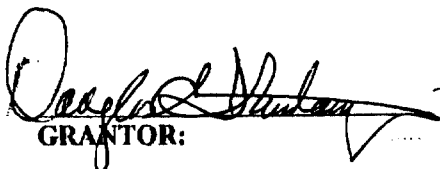
RECORDING INFORMATION ABOVE

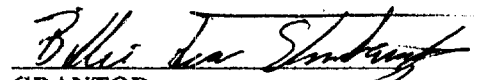
Grantor hereby covenants that no excavation, structure or obstruction will be constructed, or permitted on the Easement Area and no change will be made by grading or otherwise that would adversely affect Grantee's use and enjoyment of the Easement Area.

The rights, conditions and provisions of this Agreement shall run with the land and shall inure to the benefit of and be binding upon Grantor and Grantee and their respective successors and assigns.

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 judgement 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 Easement Area is situated.

Private Easement  
Individual(s) as Grantor

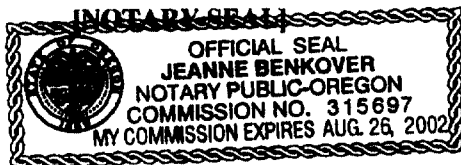
  
GRANTOR:

  
GRANTOR:  
PO Box 209  
CRESCENT, OR 9773

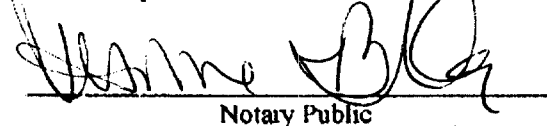
Grantor(s) Address \_\_\_\_\_

STATE OF Oregon )  
COUNTY OF Klamath ) ss:

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of November, 2001, by Douglas and Billie Jean Stumbaugh



Witness my hand and official seal:

  
Notary Public

My commission expires: 8/26/02

R/W# OR01071201 Job #11RE803  
Exchange: Klamath Falls County: Klamath  
for  $\frac{1}{4}$  Section N 4 30 Township 24 Range 30

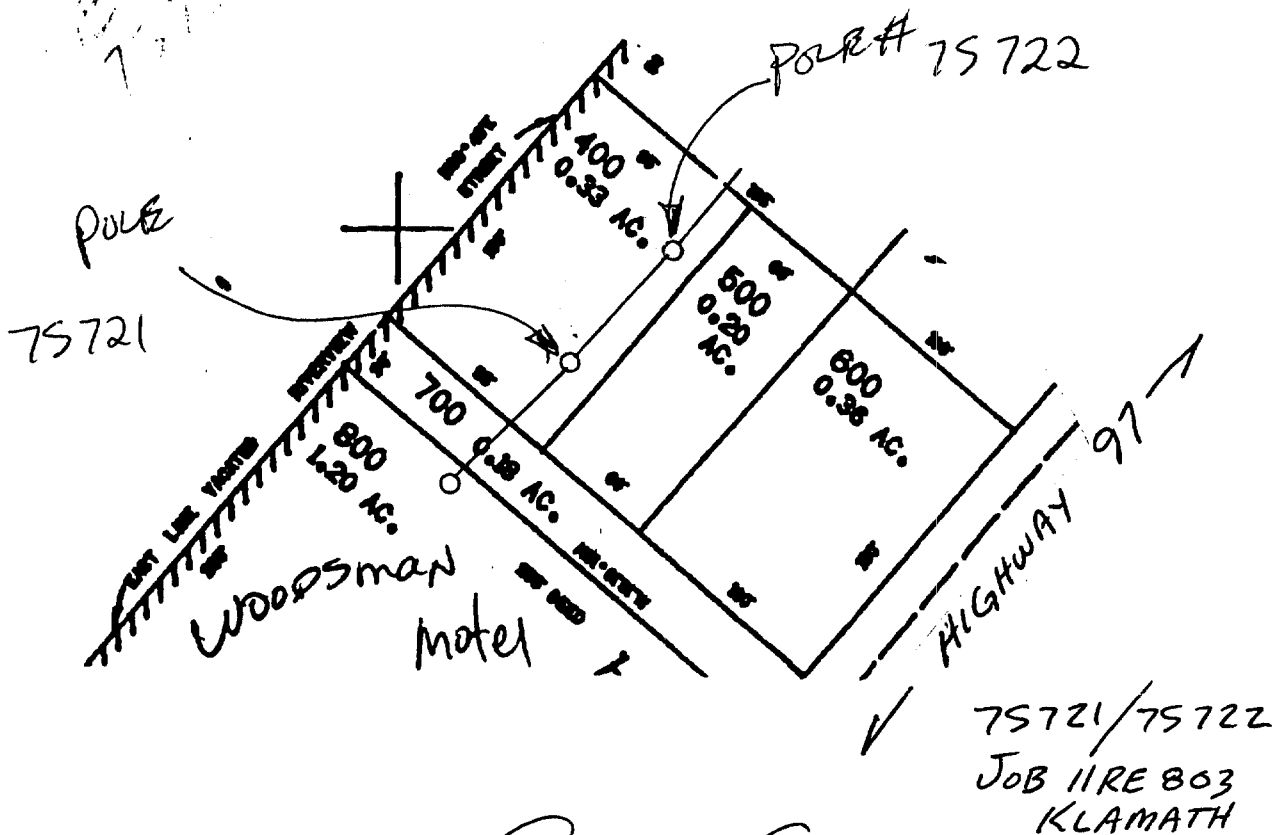
Page 2 of 3 <sup>AK</sup>

Qwest 

# SKETCH OF PROPOSED EASEMENT

Subject to Survey and Design Approval

EXHIBIT "A"

Survey Requested on NA From \_\_\_\_\_

FOLLOW EXISTING LINEAR 15FT WIDE  
 Proposed easement measuring x for placement of telecommunication facilities  
 and related appurtenances. AS PLACED



MAIL TO AL CORBETT  
 9701 SE JOHNSON CREEK  
 PORTLAND OR 97266 #C108

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