

'04 APR 2 AM 9:08

Vol M04 Page 18792

37-14-02-1600

## COMMUNICATIONS LINE RIGHT-OF-WAY EASEMENT

PACIFIC POWER & LIGHT COMPANY, dba PacifiCorp (hereinafter referred to as Grantor) hereby grants to CENTURYTEL OF EASTERN OREGON, INC. DBA CENTURYTEL, its successors and assigns, (hereinafter referred to as the Grantee), a perpetual nonexclusive easement and right to construct, operate and maintain underground telephone and communications facilities, together with all necessary wires and fixtures incidental thereto, under and upon the following described property:

A parcel of land situated in the SW1/4 Section 1, T.37S., R.14E., W.M., said parcel of land being more particularly described in that Warranty Deed recorded in Volume 314 at Page 20 of Klamath County Deed Records. Said facilities to be placed along and within the boundaries of that U.S. Forest Service Road Easement known as Fishhole Creek Road, located along and adjacent to the easterly boundary of the above describe property, as said easement roadway is described in that Deed recorded May 27, 1960 in Volume 321 at Page 453 of Klamath County Deed Records,

situated in the County of Klamath, State of Oregon. It is agreed that the Grantee, its successors and assigns, shall have access to said premises for the purposes stated, and shall be responsible for any damage to said premises by reason of any negligence on the part of said Grantee's employees while placing and maintaining construction. Said property shall be restored, as nearly as reasonably possible, to prior or better condition in a workmanlike manner.

This easement is granted only to the extent of the rights and interests of Grantor, if any, in and to the above described U.S. Forest Service road easement described in said Deed recorded May 27, 1960 in Volume 321 at Page 453 of Klamath County Deed Records (Fishhole Creek Road). Furthermore, in granting this easement, Grantor does not in any way warrant, claim or acknowledge title or interest of any kind in and to any part of said Fishhole Creek Road.

Dated: March 21, 2004

Pacific Power & Light Company,

By: A. Richard Walje

Title: Executive Vice President

STATE OF Utah )

COUNTY OF Salt Lake )

ss.

State of Oregon, County of Klamath  
Recorded 04/02/2004 9.08 a m  
Vol M04 Pg 18792  
Linda Smith, County Clerk  
Fee \$ 21.00 # of Pgs 1

BE IT REMEMBERED, That on this 21<sup>st</sup> day of March, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared A. Richard Walje, the person who signed as Executive Vice President of the corporation that executed the within instrument and acknowledged to me that such corporation executed the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

[Signature]  
Notary Public in and for the State of Utah  
My Commission expires: 12/5/06

