

After recording return to:  
Florence Mott  
Qwest Corporation  
8021 SW Capitol Hill Road  
Room 160  
Portland, OR 97219

Job#: 24R9865 - Klamath Falls

Vol M05 Page 46285

State of Oregon, County of Klamath  
Recorded 06/21/05 8:18 a m  
Vol M05 Pg 46285-87  
Linda Smith, County Clerk  
Fee \$ 31.00 # of Pgs 3

05 JUN 21 AM 0:10

RECORDING INFORMATION ABOVE

**EASEMENT**

**Private Easement**  
Individual(s) as Grantor

The undersigned, **Donna Jean Lundberg**, ("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, namely buried service wire, and other appurtenances, from time to time, as Grantee may require upon, 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 8' wide easement for "as placed" buried service wire, located on a portion of Grantor's property, described as Lot 1 in Block 69, **BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS**, and as shown on Exhibit A, which is attached hereto and by this reference made a part hereof, all of which is situated in Section 29, in Township 38 South, Range 9 East of the Willamette Meridian.

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 any obstructions from the Easement Area 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.

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.

R/W #: **OR060905FM01**

Page 1 of 3  
Initials DJS


31

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

  
Donna Jean Lundberg, GRANTOR

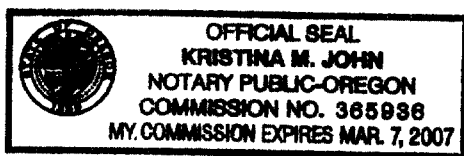
STATE OF OREGON)

) SS:

COUNTY OF LANE )

The foregoing instrument was acknowledged before me this 13th day of June, 2005, by **Donna Jean Lundberg**.

**[NOTARY SEAL]**



Witness my hand and official seal:

Kristina M. John  
Notary Public

My commission expires: May 7, 2007

R/W#: OR060905FM01 Job #: 24R9865

**Exchange:** Klamath Falls    **County:** Klamath

**¼ Section: NW¼ of SW¼, Section 29, T38S, Range 9E, W.M.**

**EXHIBIT A**

**Sec. 29, T38S, R09E, W.M.  
Klamath County, OR  
(Drawing Not to Scale)**

