

MT 79864

After Recording:
John Blackhurst
23 Newtown St.
Med, OR 97501

2007-019000

Klamath County, Oregon



00034682200700190000040047

11/06/2007 03:30:09 PM

Fee: \$36.00

EASEMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, **JELD-WEN, INC.**, an Oregon corporation, and **JWTR, LLC**, an Oregon limited liability company, hereinafter referred to as "Grantors", grant, warrant and convey to **UNITED STATES CELLULAR OPERATING COMPANY OF MEDFORD**, an Oregon corporation, hereinafter referred to as "Grantee", its successors, assigns and sublessees, a non-exclusive access easement thirty (30) feet for ingress and egress over the following described road:

An access easement over existing & proposed roads in Sections 15, 21, 22, 27, 34 & 35 in T37S, R7E, WM, and Sections 2, 11, 12 & 13 in T38S, R7E, WM, all in Klamath County, Oregon, described as follows:

Beginning at a point on the south line of Highway 140 which bears approximately S 48°13' E, 2300 feet from the northwest corner of Section 15, T37S, R7E; thence along an existing road the following approximate courses: S 41°59' W, 135.5 feet; S 17°56' W, 180.0 feet; S 07°49' E, 259.3 feet; S 11°04' W, 472.1 feet; S 07°50' W, 554.1 feet; S 17°06' W, 156.3 feet; S 43°44' W, 157.6 feet; S 86°22' W, 156.3 feet; N 81°15' W, 358.3 feet; S 85°06' W, 87.0 feet; S 47°36' W, 77.1 feet; S 30°38' W, 93.1 feet; S 16°07' W, 91.2 feet; S 06°23' W, 980.2 feet; S 01°29' E, 131.7 feet; S 11°46' E, 240.0 feet; S 16°45' E, 374.8 feet; S 06°15' E, 1528.4 feet; S 14°33' W, 310.0 feet; S 37°37' W, 186.4 feet; S 48°43' W, 238.5 feet; S 28°43' W, 121.8 feet; S 09°27' W, 153.1 feet; S 04°52' W, 375.6 feet; S 25°21' W, 386.2 feet; S 36°07' W, 318.7 feet; S 63°41' W, 219.0 feet; S 82°35' W, 160.6 feet; S 47°55' W, 206.9 feet; S 27°15' W, 130.7 feet; and S 06°31' W, 121.6 feet to Aspen Lake Road; thence S 36°53' E, along said Aspen Lake Road, 3.3 miles to a side road right; thence along said road the following approximate courses: S 24°06' W, 125.5 feet; S 41°19' W, 265.0 feet; S 20°33' W, 270.5 feet; S 17°36' E, 474.7 feet; S 03°43' E, 897.3 feet; S 09°17' E, 324.6 feet; S 16°42' W, 295.1 feet; S 04°49' W, 243.3 feet; S 17°00' E, 194.4 feet; S 04°29' W, 272.6 feet; S 37°47' E, 88.0 feet; S 16°16' E, 128.4 feet; S 29°16' W, 126.5 feet; S 72°55' W, 450.4 feet; S 38°49' W, 166.1 feet; S 04°20' E, 586.2 feet; S 37°07' E, 1295.0

★ U.S. Cellular

Page 1 of 4

Site Name/Number: Running Y/349406

30 AMT

feet; S 50°04' E, 480.8 feet; S 43°59' E, 446.4 feet; S 33°51' E, 646.9 feet; S 39°59' E, 4883.7 feet; and S 40°48' E, 50.5 feet; thence along a proposed road the following approximate courses: 403.4 feet along the arc of a 150.0 foot radius curve to the left (the long chord of which bears N 62°09' E, 292.4') and N 14°53' W, 412.7 feet to the southeast side of a proposed telecommunications site.

This easement is to provide ingress and egress to Grantee, its successors, assigns and sublessees, for purposes of constructing, servicing and operating a communications facility that includes a communication tower and equipment shelter that are to be located on the following described real property:

Commencing at the monumented northwest corner of Section 13, Township 38 South, Range 7 East of the Willamette Meridian, in Klamath County, Oregon; thence South 81°15'31" East, 4351.0 feet, to an 18" cedar, for the true point of beginning;
Thence South 44°00'00" East 100.00 feet;
Thence South 46°00'00" West 100.00 feet;
Thence North 44°00'00" West 100.00 feet;
Thence North 46°00'00" East 100.00 feet to the true point of beginning.

Containing 10,000 square feet of land, more or less.

Grantee shall indemnify and hold Grantors harmless from any and all claims resulting from Grantee's negligence or intentional misconduct in Grantee's use of the easement.

If suit or action is brought to enforce the terms of this easement, the losing party agrees to pay the prevailing party's reasonable attorneys fees to be fixed by the trial court, and on appeal the prevailing party's reasonable attorneys fees to be fixed by the Appellate Court.

This easement shall run with the land and be binding on the successors, assigns and sublessees of Grantee and Grantors, provided however, that said easement shall terminate six months after Grantee, and its successor, assigns and sublessees, cease using the communications facility for which this access easement benefits.

[END OF EASEMENT AGREEMENT – SIGNATURE PAGE TO FOLLOW]

Grantors:

JELD-WEN, INC., an Oregon corporation

By: Mark Campbell

Printed: Mark Campbell

Its: General Manager Timber & Ranches

Grantee:

UNITED STATES CELLULAR OPERATING COMPANY OF MEDFORD, an Oregon corporation

By: Kevin R. Cowell

Printed: KEVIN R. COWELL

Its: Vice President

JWTR, LLC, an Oregon Limited Liability Company

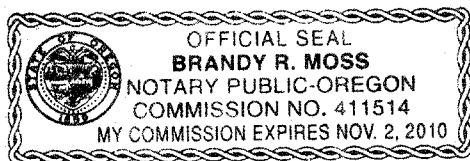
By: Craig B. Dithman

Printed: CRAIG B. DITHMAN

Its: GEN. MGR.

STATE OF OREGON)
) ss.
County of Klamath)

I, the undersigned, being a notary public in and for the State and County aforesaid, do hereby certify that Mark Campbell, for JELD-WEN, INC., known to me to be the same person whose name is subscribed to the foregoing Easement, appeared before me this day in person and acknowledged that, pursuant to his/her authority, he/she signed the said Easement as his/her free and voluntary act of JELD-WEN, INC., an Oregon corporation, for the uses and purposes therein stated.



Brandy R. Moss
Notary Public - State of Oregon

STATE OF OREGON)
) ss.
County of Klamath)

I, the undersigned, being a notary public in and for the State and County aforesaid, do hereby certify that Craig B. Ditman, for JWTR, LLC, known to me to be the same person whose name is subscribed to the foregoing Easement, appeared before me this day in person and acknowledged that, pursuant to his/her authority, he/she signed the said Easement as his/her free and voluntary act of JWTR, LLC, an Oregon limited liability company, for the uses and purposes therein stated.



Catherine Gray
Notary Public - State of Oregon

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

I, the undersigned, being a notary public in and for the State and County aforesaid, do hereby certify that KEVIN R. LOWELL, Vice President for UNITED STATES CELLULAR OPERATING COMPANY OF MEDFORD, known to me to be the same person whose name is subscribed to the foregoing Easement, appeared before me this day in person and acknowledged that, pursuant to his authority, he signed the said Easement as his free and voluntary act of UNITED STATES CELLULAR OPERATING COMPANY OF MEDFORD, an Oregon corporation, for the uses and purposes therein stated.

Given under my hand and seal this 31st day of October, 2007.

Donald L. Dicke
Notary Public

