

MT080893

2008-002645

Klamath County, Oregon



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03/03/2008 11:32:56 AM

Fee: \$31.00

AFTER RECORDING PLEASE RETURN TO:

U.S. Cellular  
Attn: Real Estate  
8410 W. Bryn Mawr Avenue, Suite 700  
Chicago, IL 60631

Site Name: Stewart Lennox

Site Number: 349437

**EASEMENTS**

For good and valuable consideration, Viola S. Cedarleaf, as Trustee of the "Cedarleaf Trust" dated November 20, 1988 ("Cedarleaf"), grants and conveys to United States Cellular Operating Company of Medford, an Oregon corporation, ("U.S. Cellular") its successors and assigns, including subtenants, nonexclusive easements for ingress, egress and utilities twenty (20) feet in width along an existing road and an additional route that are situated on a parcel owned by Cedarleaf ("Cedarleaf Parcel"), which parcel is described as follows:

Parcel 3 of Land Partition 76-94 situated in the SE ¼ of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Cedarleaf grants, warrants and conveys a non-exclusive easement to U.S. Cellular, its successors, assigns, including subtenants, for ingress and egress over the following described road, a portion of which is located on the Cedarleaf Parcel:

Beginning at a point on the southeast line of Highway 66, at the centerline of an existing roadway, which point bears N 75°43' W, 1388.7 feet from the monumented northeast corner of Section 13, Township 39 South, Range 8 East of the Willamette Meridian, in Klamath County, Oregon; thence along said existing roadway the following approximate courses: S

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62°50' E, 368.3 feet; 134.6 feet along a 100.0 foot radius curve to the left (the long chord of which bears N 78°35' E, 124.7'); N 40°01' E, 354.0 feet; N 55°39' E, 138.7 feet; 203.2 feet along a 150.0 foot radius curve to the right (the long chord of which bears S 85°32' E, 188.0'); S 46°44' E, 387.9 feet; S 46°48' W, 201.4 feet; S 40°29' W, 95.9 feet; S 67°24' W, 16.4 feet; and N 85°40' W, 12.1 feet; thence leaving said existing roadway S 03°59' E, 102.6 feet to the north line of a proposed telecommunications site.

In addition, Cedarleaf grants, warrants and conveys a non-exclusive easement to U.S. Cellular, its successors, assigns, including subtenants, for utilities over the following described route, a portion of which is located on the Cedarleaf Parcel:

Beginning at existing power pole C5286, which bears N 56°33'30" W, 305.65 feet from the monumented northeast corner of Section 13, Township 39 South, Range 8 East of the Willamette Meridian, in Klamath County, Oregon; thence S 39°07' E, 51.0 feet; thence S 40°18' W, 135.0 feet; thence S 03°59' E, 76.0 feet to the north line of a proposed telecommunications site.

U.S. Cellular, its agents and independent contractors, shall be permitted to use the easements for ingress, egress, and utility lines to benefit real property owned by Daniel G. Mazingo and Judy M. Mazingo, husband and wife, for purposes of constructing, operating, maintaining and repairing a communications tower and equipment shelter. Said real property owned by Mazingos ("Mazingo Parcel") is described as follows:

Commencing at the monumented northeast corner of Section 13, Township 39 South, Range 8 East of the Willamette Meridian, in Klamath County, Oregon; thence South 78°04'36" West, 227.93 feet, to the true point of beginning; thence South 02°02'00" East 100.00 feet; thence South 87°58'00" West 100.00 feet; thence North 02°02'00" West 100.00 feet; thence North 87°58'00" East 100.00 feet to the true point of beginning.

Said easements shall be appurtenant to and shall benefit the above-described Mazingo Parcel used by U.S. Cellular for its communications tower and equipment shelter. U.S. Cellular shall have the right to construct, maintain and repair the road and

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the electrical power and telephone lines located within the easements. Cedarleaf agrees to make such additional direct grants of easement as U.S. Cellular may request in order to further the purposes of these Easements. The easements will terminate six months after U.S. Cellular, or its successor and assigns, including subtenants, discontinue using the communications facility.

U.S. Cellular shall be able to use the road for access to the Mozingo Parcel to inspect, examine, conduct soil borings, drainage testing, material sampling, and other geological or engineering tests or studies of the Mozingo Parcel. U.S. Cellular, its agents and independent contractors shall be entitled to have continuous use of the access route at all hours of the day and night without any requirement of escort or supervision, or notice to Cedarleaf.

These easements are binding on the parties' heirs, successors and assigns.

DATED this 15 day of February, 2008.

CEDARLEAF TRUST, dated  
November 20, 1988

By:

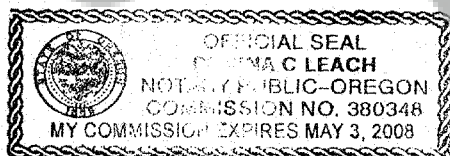
Viola S. Cedarleaf Trustee  
Viola S. Cedarleaf, Trustee

STATE OF OREGON )

) ss.

County of Lane )

I, the undersigned, being a notary public in and for the State and County aforesaid, do hereby certify that Viola S. Cedarleaf, for Cedarleaf Trust, dated November 20, 1988, known to me to be the same person whose name is subscribed to the foregoing Easements, appeared before me this day in person and acknowledged that, pursuant to her authority, she signed the said Easements as her free and voluntary act of Cedarleaf Trust, dated November 20, 1988, for the uses and purposes therein stated.



Diana C. Leach  
Notary Public - State of Oregon

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