

After recording return to:  
Qwest Corporation  
8021 SW Capitol Hill Rd., Room 160  
Portland, OR 97219  
Attn: Lynn M Smith

2008-011736  
Klamath County, Oregon



00051754200800117360030033

Job#: 84R9962 – Klamath Falls

Send Tax Statements To:  
No Change

08/19/2008 09:27:15 AM

Fee: \$31.00

RECORDING INFORMATION ABOVE

**EASEMENT**

**Private Easement**

Individual(s) as Grantor

The undersigned Dennis W. Thomas and Nancy J. Thomas ("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, electrical and gas facilities as needed for Qwest equipment, provided by the local power or gas utility, 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 located in the westerly portion of the Grantor's property which is described in its entirety on EXHIBIT "A" which is attached hereto and by this reference made a part hereof, all of which is situated in the Southeast 1/4 of Section 20, Township 38 South, Range 9 East of the Willamette Meridian.**

Grantor further conveys to Grantee and its contractors, 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.

R/W # OR071708AM01

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Initials

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: Dennis W. Thomas

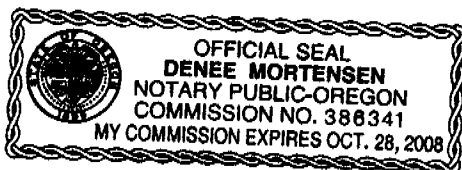
  
GRANTOR: Nancy J. Thomas

STATE OF OREGON )

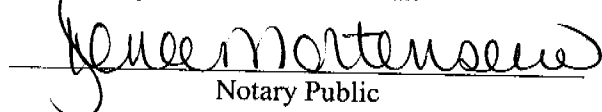
COUNTY OF Klamath ) ss:

The foregoing instrument was acknowledged before me this 25 day of July, 2008, by Dennis W. Thomas and Nancy J. Thomas.

[NOTARY SEAL]

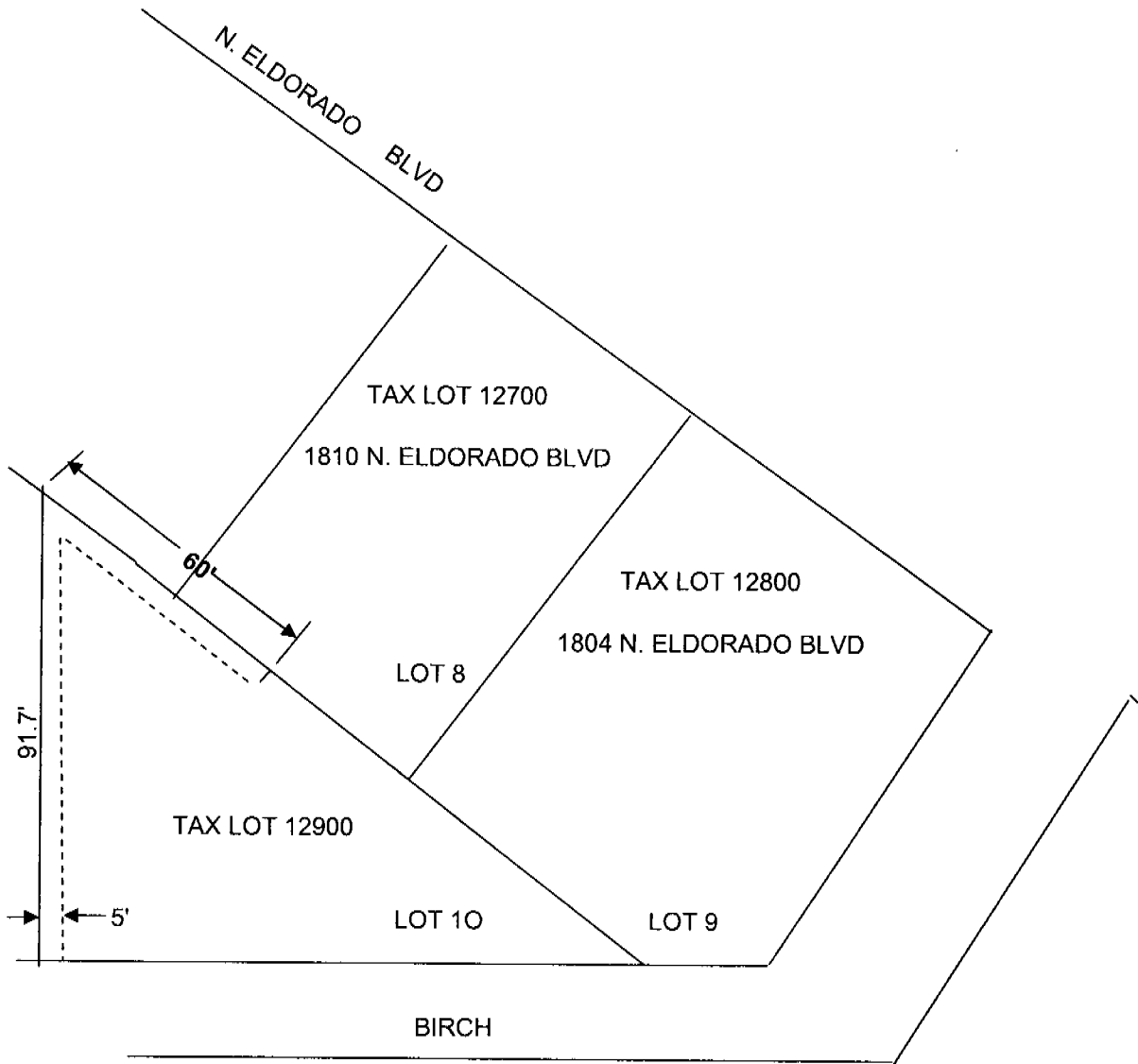


Witness my hand and official seal:

  
Notary Public

My commission expires: Oct 28, 2008

# EXHIBIT "A"



ROW # OR071708AM01  
COUNTY KLAMATH  
TAX MAP 38 09 20DD

SAID EASEMENT BEING THE WEST 5 FEET AND THE NORTHERLY 5 FEET OF THE  
NORTHWESTERLY 60 FEET OF LOT 10 BLOCK 11, IN ELDORADO ADDITION IN THE  
CITY OF KLAMATH FALLS, KLAMATH COUNTY, OREGON, LESS THE WEST 5 FEET .  
THEREOF

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