

After Recording return to:
Lynn M Smith
Qwest Corporation
8021 SW Capitol Hill Rd
Portland, Oregon 97219

2009-009225

Klamath County, Oregon



00068980200900092250050053

07/07/2009 09:05:40 AM

Fee: \$41.00

Job: _____

RECORDING INFORMATION ABOVE

EASEMENT

Private Easement
Individual(s) as Grantor

The undersigned Michael J. Riley and Sarah E. Whitis, as tenants by the entirety ("Grantor") for and in consideration of Ten Dollars (\$10) 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 electrical power or gas utilities, 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 which is described in its entirety on Exhibit "A" which is attached hereto and by this reference made a part hereof.

Grantor further conveys to Grantee and it's 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 # _____

Page 1 of _____

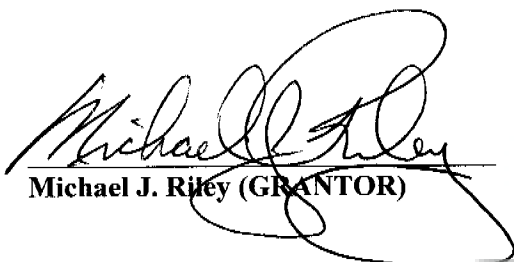
Initials MR EW

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


Michael J. Riley (GRANTOR)


Sarah E. Whitis (GRANTOR)

STATE OF OREGON)
) ss.
County of Klamath)

I certify that I know or have satisfactory evidence that Michael J. Riley is the person who appeared before me, and said person acknowledged that he signed the foregoing Easement and acknowledged it to be his free and voluntary act for the uses and purposes therein stated.

Notary Public-State of Oregon

R/W# _____ Job # _____
Exchange _____ County Klamath
¼ Section SW Section 6 Township 37S Range 6W

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Sacramento

On June 20, 2009 before me,

Jeanny Morris Notary Public

Date

Here Insert Name and Title of the Officer

personally appeared

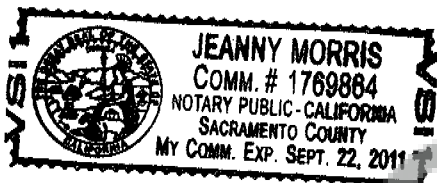
Sarah Elizabeth Whitis and

Name(s) of Signer(s)

Michael James Riley



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s), on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Jeanny Morris

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Easement

Document Date:

6/20/09

Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer's Name:

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

STATE OF OREGON)
) ss.
County of Klamath)

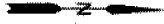
I certify that I know or have satisfactory evidence that Sarah E. Whitis is the person who appeared before me, and said person acknowledged that she signed the foregoing Easement and acknowledged it to be her free and voluntary act for the uses and purposes therein stated.

Notary Public-State of Oregon

Proposed Telco Easement

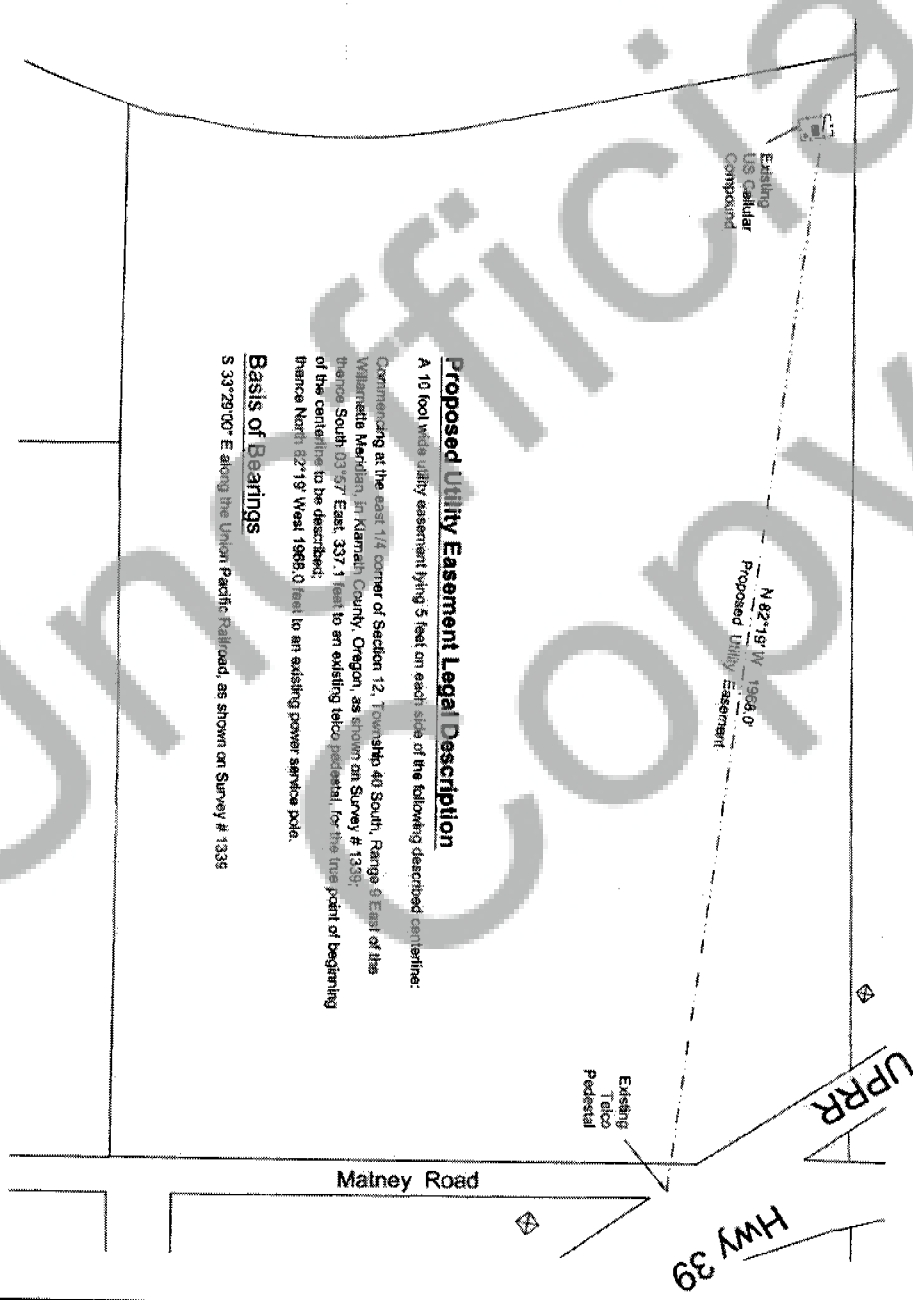
Located in
SE 1/4 of Section 12
T40S, R9E, W.M.
Klamath County, Oregon
for US Cellular
Site 349406, Stukei
July 19, 2008

SCALE
1" = 200'
0 200



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 19, 2008
WILLIAM P. COLISCH
RENEWED 12/31/05



Proposed Utility Easement Legal Description

A 10 foot wide utility easement lying 5 feet on each side of the following described centerline:

Commencing at the east 1/4 corner of Section 12, Township 40 South, Range 9 East of the Willamette Meridian, in Klamath County, Oregon, as shown on Survey # 1339, thence South 03°57' East, 337.1 feet to an existing telco pedestal, for the true point of beginning of the centerline to be described; thence North 82°19' West, 1968.0 feet to an existing power service pole.

Basis of Bearings

S 33°29'00" E along the Union Pacific Railroad, as shown on Survey # 1335