

2020-009182

Klamath County, Oregon

07/27/2020 01:39:01 PM

Fee: \$92.00

After recording please return to:
CenturyLink
Attention: Construction Services
100 CenturyLink Drive
Monroe, LA 71203

Prepared by:
VeShon Sheridan
5610 Millwheel Way
Henrico, VA 23228

RECORDING INFORMATION ABOVE

EASEMENT AGREEMENT

The undersigned ("Grantor"), LANCE B LETNER JR, an individual, for consideration of Two Thousand Five Hundred Dollars (\$2,500.00), hereby grants and conveys to CENTURYTEL OF EASTERN OREGON, INC, d/b/a CenturyLink QC a Colorado Corporation, its successors, assigns, lessees, licensees, agents and affiliates ("Grantee"), having an address of 100 CenturyLink Drive, Monroe, Louisiana 71203, Attn: Construction Service, a perpetual, non-exclusive easement ("Easement") to construct, operate, maintain, repair, expand, replace and remove a communication system that Grantee from time to time may require, consisting of, and limited to aerial lines, which may include, fiber optic loops, cables, wires, surface location markers, and utility service if required to operate such system, facilities and structures (collectively, the "Facilities") over, under and across the following property located in the County of Klamath, State of Oregon, which Grantor owns:

TWO (2) PARCELS OF LAND IDENTIFIED BY THE COUNTY OF KLAMATH AS PROPERTIES 883348 AND 206967. BOTH SITUATED IN SW 1/4 SECTION 19, TOWNSHIP 34 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN AS DESCRIBED AND SHOWN IN EXHIBIT A
AN AERIAL EASEMENT OF APPROXIMATELY 966 FEET OF FIBER OPTIC CABLING AND/OR SLACK LOOPE ATTACHED TO POLES NUMBERED 1434008/194302, 194303 AND 195300, BELONGING TO PACIFICORP, OF WHICH CENTURYTEL OF EASTERN OREGON, INC. HAS A JOINT USE FACILITIES AGREEMENT SINCE 17 MAY 2012.

Grantor further grants and conveys to Grantee the following incidental rights:

- (1) The right of ingress and egress over and across Grantor's lands to and from the Easement Tract with 48 hours confirmed advance notice for routine construction and maintenance of facilities and immediate notice for emergency facility maintenance; and
- (2) The right to clear all trees, roots, brush and other obstructions that interfere with Grantee's use and enjoyment of the Easement Tract.

Grantee will:

- (1) Upon completion of construction and /or maintenance, clear all debris to restore the Easement Tract to substantially the same condition it was in immediately prior to Grantee's initial entry upon the Easement Tract in exercising the rights granted to it under this Agreement, ordinary wear and tear excepted.; and
- (2) Except for any claims, damages and liabilities resulting from the negligence or intentional misconduct of Grantor, its employees, agents and contractors, Grantee will indemnify, defend and hold Grantor harmless from and against any and all claims, damages and liabilities for injury to person or property resulting from Grantee

exercising the rights granted to it under this Agreement. This indemnification will survive the expiration or termination of this Agreement.

Grantor reserves the right to use and enjoy the Easement Tract so long as Grantor's use does not materially interfere with the rights granted in this Easement Agreement.

Grantor warrants that Grantor is the owner of the Easement Tract and will defend title to the Easement Tract against all claims. Grantee will have no responsibility for environmental contamination unless caused by Grantee.

The rights, conditions and provisions of this Easement Agreement will run with the land and will inure to the benefit of and be binding upon Grantor and Grantee and their respective successors and assigns.

Executed by Grantor this 17 day of June 2020

GRANTOR:

LANCE B LETNER JR.

an individual

Signature: Lance Letner Jr
Printed Name: Lance Letner Jr

STATE OF Oregon)
) ss.
COUNTY OF Clatsop)

The foregoing instrument was acknowledged before me this 17th day of June, 2020, by Lance Letner Jr. as Grantor of Right of way, a single person.

My commission expires: April 06, 2022

WITNESS my hand and official seal.

Louise Monteith
Notary Public

(SEAL)



EXHIBIT A TO EASEMENT AGREEMENT

Legal Description of Easement Location

Two parcels of land identified by the County of Klamath as properties 883348 and 206967. Both Situated in SW 1/4 Section 19, Township 34 South, Range 8 East of the Willamette Meridian

An aerial easement of approximately 966 feet of fiber optic cabling attached to poles 194302, 194303 and 195300, belonging to PacifiCorp, of which CenturyTel of Eastern Oregon, Inc. has a Joint Use Facilities Agreement Since 17 May 2012

Parcels 1 and 2 as described on Special Warranty Deed 2019-002330, acknowledging all savings and excepting identified.