

117730

GRANT OF COMMUNICATION SYSTEMS EASEMENT

For valuable consideration, receipt hereof is hereby acknowledged, the undersigned hereby grant(s) to AMERICAN TELEPHONE AND TELEGRAPH COMPANY, a New York corporation, its associated and allied companies, its and their respective successors, assigns, lessees and agents (hereinafter collectively called "grantees") an easement to construct, operate, maintain, replace and remove such communication systems as the grantees may from time to time require, consisting of underground cables, wave guides, wires, conduits, manholes, drains, splicing boxes and other facilities for similar uses together with surface testing terminals, markers and other appurtenances, upon, over and under a strip of land 16.5 feet wide across the land which the undersigned own(s) or in which the undersigned have (has) any interest, which land is described in the attached EXHIBIT "A" hereby made a part hereof, together with the following rights: of ingress and egress over and across the lands of the undersigned to and from said strip for the purpose of exercising the rights herein granted: to place surface markers beyond said strip; to clear and keep clear all trees, roots, brush and other obstructions from the surface and subsurface of said strip and during construction periods to clear and use additional areas as required on each side of said strip; to install gates and stiles in any fences crossing said strip.

The undersigned hereby covenant(s): not to do or permit anything to interfere with the rights herein granted to grantees and without in any way limiting the generality of the foregoing, further not to erect or construct a building or structure or to permit a structure to be erected or constructed within the limits of said easement; and not to grant other easements on, under or over this easement without grantee's prior written approval.

The grantees agree that the said cables shall be buried below plow depth in order not to interfere with the ordinary cultivation of the strip, and to pay for damage done to fences and growing crops damaged in the course of the construction and maintenance activities associated with the aforesaid systems. The undersigned shall have the right to use and enjoy the land occupied by the said right of way and easement except when such use shall interfere with the rights herein granted to the grantees.

The covenants, terms, conditions, and provisions herein shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors, assigns, lessees and agents of the parties hereto.

Executed this 14<sup>th</sup> day of March, 1988 at Chico, Calif

\_\_\_\_\_  
WITNESS D. G. Gattfredson  
D. E. Gattfredson

State of CA. )  
County of Butte ) SS.

The forgoing instrument was acknowledged before me this 14 day of March, 1988.  
By D. G. Gattfredson

Keith Alan Knapp  
Notary Public

My commission expires: 1990



EXHIBIT A

A strip of land 16½' wide within an original 20' wide easement granted in 1942. The said easement being located in Section 10, T-32-N R-51- E, M.D.B. & M. and crossing unpatented mining claims known as Popcorn No.1 through 13.

Milo R. Gardner  
7255 Sumter Drive  
Fair Oaks, Cal 95628  
March 18, 1988

Dixie Gottfredson  
1646 Sheridan  
Chico, Ca 95926

Re: MD Mining Association  
(Authority to sign)

Dear Dixie:

Please provide a copy of this letter as authority to sign for  
MD MINING ASSOCIATION FTN 68-0021979. MILO GARDNER GENERAL  
PARTNER

As one of the four partners listed on the original factitious  
name statement, filed in Sacramento County Calif and a signator  
on the company bank account : Bank of America, Fair Oaks, Ca  
your specific authority to sign a company document is limited to:

- (a) any item that you have cleared, in advance with the General  
Partner
- (b) routine negotiations leading up to an agreement, but  
excluding the actual agreement, unless received per (a).

Thank you for bringing this matter, of having this formal letter  
on file, to my attention.

Sincerely,

*Milo R. Gardner*  
Milo R. Gardner  
General Partner  
MD Mining Association

Specific authorization: Dixie thank you for calling me recently  
concerning the \$190 payment for the telephone easement. Please  
sign and finalize the agreement.

Milo *Gardner*

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OFFICIAL RECORDS  
FILE NO. 17730  
FEE \$ 2.00

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RECORDED AT THE REQUEST OF  
*Dixie Gottfredson*  
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