

SEP 16 1984

DEED OF EASEMENT

Vol. 1781 Page 12941

For valuable consideration, receipt whereof is hereby acknowledged,

ROBERT ELLIS

hereinafter jointly and severally called Grantor, does hereby grant to the
STATE OF OREGON, acting by and through its DEPARTMENT OF ENVIRONMENTAL
QUALITY, its successors and assigns, hereinafter called Grantee, subject
to all provisions hereinafter set forth, a nonexclusive easement in and
upon the following described real property in KLAMATH County,
Oregon, to-wit:

TOWNSHIP 40 SOUTH, RANGE 8 EAST,
WILLAMETTE MERIDIAN SECTION 21, THAT PART OF
SE 1/4 OF SW 1/4 OF NW 1/4 THAT LAYS S.W. OF KENO
WORDEN ROAD, EXCEPTING THEREFROM THE NORTHERLY
60' AND FURTHER EXCEPTING THEREFROM THE
SOUTHERLY 300'.
3 ACRE/MI/L

for the purpose of the monitoring, including observation and sampling, of
an individual experimental subsurface or alternative sewage disposal system
in or upon or appurtenant to the above-described property of Grantor by
Grantee, its contractors, agents or employees.

Grantor, for himself and his heirs, successors and assigns, covenants
and agrees with Grantee, and its successors and assigns, that the above-
described property of Grantor shall not be used for any purpose detrimental
to said sewage disposal system and the monitoring thereof or contrary to the

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[Laws and rules of governmental agencies applicable or related to such sewage disposal system.

Grantor warrants that he has full legal right to grant this easement.

This easement shall terminate on JAN 1 1985 unless Grantee terminates this easement by giving written notice thereof to Grantor at an earlier date. Grantee shall be entitled to a one-year extension of this easement beyond the termination date stated above upon Grantee's written notification of Grantor prior to that date that Grantee elects to have such an extension of this easement.

IN WITNESS WHEREOF, Grantor has executed this easement as of the 20 day of Dec, 1977.

[Signature]
Grantor

STATE OF OREGON

County of Clatsop

December, 1977 } ss.

Personally appeared the above-named _____ and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

(Notary Seal)

NOTARY

2 - EASEMENT

DECEMBER 29, 1977

RECEIVED

APR 1 1980

WATER QUALITY CONTROL

Notary Public for Oregon

My Commission expires: 8-29-80

AFFIDAVIT

12943

Grantor has applied to the State of Oregon Department of Environmental Quality ("Department") for a permit which would allow Grantor to install an experimental on-site sewage treatment and disposal system ("experimental system") on the following real property in KLAMATH county, Oregon, to wit: TNSAP 40 S. RANGE 2 EAST, WILLAMETTE MERIDIAN, SEC 21: THAT PART OF SE 1/4 OF SW 1/4 OF NW 1/4 THAT LAYS S.W. OF KENO WORDEN RD. EXCEPTING THEREFROM THE NORTHERLY 60' AND FURTHER EXCEPTING THEREFROM THE SOUTHERLY 300' - 3 ACRE M/L

Pursuant to Chapter 340, Division 74, Oregon Administrative Rules relating to experimental systems, Grantor, for the purpose of giving notice to potential future transferees of the above described real property, affirms the following:

1. If the proposed experimental system is permitted and installed it would be subjected to evaluation by the Department;
2. Neither the State of Oregon Environmental Quality Commission nor the Department imply, express or warrant that the proposed experimental system would operate satisfactorily; and
3. If the Department should find that the experimental system does not operate satisfactorily, and as a result causes or threatens to cause a public health hazard or pollution of state waters, the Grantor, his heirs, successors and assigns shall remedy the violation or threatened violation by repairing, modifying, replacing or abandoning the experimental system.

If Grantor's application for a permit to construct the proposed experimental system is granted, this Affidavit shall be recorded in the County Deed Records, shall appear in the chain of title, and shall run with the land.

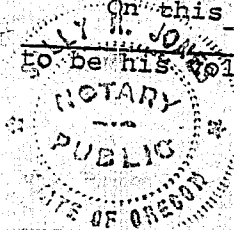
IN WITNESS WHEREOF, Grantor has executed this Affidavit on the 22 day of Dec, 1979

[Signature]
Grantor

STATE OF OREGON)

County of Klamath) ss

On this 20th day of December, 1979, before me, appeared [Signature] and acknowledged the foregoing instrument to be his voluntary act and deed.



[Signature]
NOTARY PUBLIC FOR OREGON

My Commission Expires: 8-29-83

STATE OF OREGON; COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the 20th day of July A.D., 1981 at 2:31 o'clock p M., and duly recorded in Vol M81 of Deeds on page 12941.

Fee \$10.50

EVELYN BIEHN

COUNTY CLERK

By [Signature] Deputy

Keno, Oregon 97627
P O Box 37
Ellis Construction