

73181

EASEMENT

Vol. 187

Page 5781

MTL-17366 ACC

WHEREAS WIL MELANSON ("GRANTOR") is the owner of the following two lots (or parcels) of real property located in KLAMATH County, Oregon, to wit:

Lot I:

PARCEL 1

The following described real property situate in Klamath County, Oregon:

The S1/2 NE1/4 SE1/4 and the SE1/4 SE1/4; SE1/4 NW1/4 SE1/4 and the E1/2 SW1/4 SE1/4 lying North of the Rimrock all in Section 2, Township 36 South Range 10 East of the Willamette Meridian, Klamath County, Oregon.

Lot II:

PARCEL 2

Lots 40 and 41 in Block 32, of FOURTH ADDITION TO NIMROD RIVER PARK, according to the official plat thereof, on file, in the office of the County Clerk of Klamath County, Oregon.

WHEREAS GRANTOR has applied to the State of Oregon through its Department of Environmental Quality ("State" or "GRANTEE") for a report of site evaluation for the proposed construction of an individual on-site sewage disposal system ("Report") on Lot I intended to serve Lot II; and

WHEREAS Oregon Administrative Rules, 340-71-130(11)(b) and 340-71-150(4)(a) require GRANTOR to execute an easement and covenant in favor of the State as a condition precedent to issuance of a favorable report concerning the construction of a system on one lot intended to serve another lot;

NOW THEREFORE, in consideration of the issuance of the report to GRANTOR by the State, and other good and valuable consideration, receipt of which is hereby acknowledged, GRANTOR hereby conveys to the State ("GRANTEE"), its successors and assigns, a perpetual, non-exclusive, appurtenant easement in, upon, and running with Lot I allowing the GRANTEE'S officers, agents, employees and representatives to enter and inspect, including by excavation, the on-site sewage disposal system on Lot I serving Lot II.

GRANTORS, for themselves and their heirs, successors and assigns, covenant and agree:

1. To grant or reserve, and record a utility easement, in a form approved by the GRANTEE, in favor of the owner of Lot II upon severance of the above described lots; and

Return: WIL MELANSON
16335 Broadway
Alameda, CA 94501

'87 APR 7 AM 11 52

5782

2. That Lot I shall not be put to any use which would be detrimental to the permitted system or contrary to any law (including an administrative rule) applicable to the permitted system.

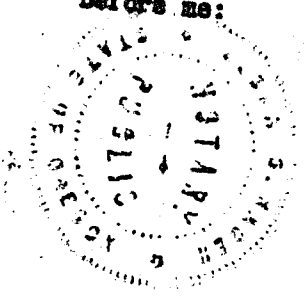
IN WITNESS WHEREOF, the GRANTOR executed this easement on this 6 day of APRIL, 19 87.

Wil Melanson
(Grantors)

STATE OF OREGON)
County of Klamath) ss
April 6, 19 87)

Personally appeared the above-named Wil Melanson and acknowledged the foregoing instrument to be their voluntary act.

Before me:



Delora L. Hagen
NOTARY PUBLIC FOR OREGON
My Commission Expires: 2/17/88

XL3443

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Company the 7th day of April A.D., 19 87 at 11:52 o'clock A M., and duly recorded in Vol. M87 of Deeds on Page 5781.

FEE \$9.00

Evelyn Biehn, County Clerk
By Ann Smith