

## EASEMENT

WHEREAS Charles V. Shuck & Joanna M. Shuck ("GRANTOR") is the owner of the following two lots (or parcels) of real property located in Alameda County, Oregon, to wit:

Lot I:

SW 1/4, NE 1/4, SE 1/4 of Section 32, Township 40 S.,  
Range 11 E. W. M.

Lot II:

Section 32, Township 40 Range 11

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

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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 18th day of April, 1988.

STATE OF OREGON )  
County of Klamath ) ss  
April 18, 1988 )

(Grantors)  
Charles V. Shuck  
Joanna M. Shuck

Personally appeared the above-named Charles V. Shuck and  
Joanna M. Shuck and acknowledged the foregoing instrument to be their voluntary act.

Before me:



Sharon K. Green  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 10/11/89

XL3443

STATE OF OREGON,  
County of Klamath ss.

Filed for record at request of:

on this 23rd day of August A.D., 19 88  
at 10:36 o'clock A M. and duly recorded  
in Vol. 488 of Deeds Page 13596  
By Evelyn Piehn County Clerk  
By Dorlene Mullins

Fee, \$13.00

Deputy.

Return to:  
Lizal Shuck  
P.O. Box 864  
Myerall, OR 97633