

## EASEMENT

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

Lot I:

T39, R8, Sec. 36

1<sup>ST</sup> Addition MIDLAND

LOTS 1-2 TL 2500

Lot II:

T39, R8, Sec. 36

1<sup>ST</sup> Addition MIDLAND

LOTS 3-4-5-6 TL 2500

WHEREAS GRANTOR has applied to the State of Oregon through its Department of Environmental Quality ("State" or "GRANTEE") for a permit to repair an on-site sewage disposal system by 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 repair permit 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

'90 SEP 7 AM 10 07

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.

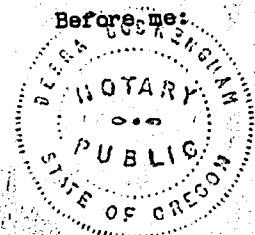
IN WITNESS WHEREOF, the GRANTOR executed this easement on this 7th day of September, 1990.

(Grantors)

*Terry L. Leeper*

STATE OF OREGON )  
 ) ss  
County of Klamath )  
 )  
9-7, 1990 )  
Klamath Falls, Oregon )

Personally appeared the above-named Terry L. Leeper  
and acknowledged the foregoing instrument  
to be their voluntary act.



*Debra Buckingham*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires 12-19-92

XL3443

*Return to*

*Terry L. Leeper*  
*P.O. Box 99*

*Midland, Oregon*

*7997634*

STATE OF OREGON, ss.  
County of Klamath

Filed for record at request of:

Terry L. Leeper  
on this 7th day of Sept. A.D., 19 90  
at 10:07 o'clock A.M. and duly recorded  
in Vol. M90 of Deeds Page 17953.  
By Evelyn Biehn County Clerk  
By Pauline Mulindore Deputy.

Fee, \$13.00