

WHEREAS ^{E.V.} ~~WOODROW C. & EDYTHE L.~~ ^{McClothry} ("GRANTOR") is the owner of the following two lots (or parcels) of real property located in Island County, Oregon, to wit:

Lot I:

Lots 13 + 14 Block 38 Crescent

Lot II:

Lots 11-12 Block 38 Crescent

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

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 10 day of July 10, 1991.

(Grantors)

STATE OF OREGON)
County of Klamath) ss
July 10, 1991)

Woodrow C. McGlothorn
E. V. McGlothorn

Personally appeared the above-named Woodrow C. McGlothorn and E. V. McGlothorn and acknowledged the foregoing instrument to be their voluntary act.

Before me:

Dancey W. Kennedy
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3-12-93

XL3443

Return: W. C. McGlothorn
P.O. Box 2185
LaPine, Or. 97739

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

W. C. McGlothorn
on this 10th day of July A.D. 19 91
at 11:56 o'clock A M. and duly recorded
in Vol. M91 of Deeds Page 13344
Evelyn Biehn County Clerk
By Dancey W. Kennedy

Fee, \$13.00

Deputy.