

WHEREAS Oron & Dolores McCarty ("GRANTOR") is the owner of the following two lots (or parcels) of real property located in Klamath County, Oregon, to wit:

Lot I:

Tax lot 2300
Lot 5 Blk 66, KFFE Hwy 66 Unit #3

Lot II:

Tax lot 2200
Lot 6, Blk 66, KFFE Hwy 66 Unit #3

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 23
day of June, 1992.

(Grantors)

Dolores M. McCarty

STATE OF OREGON)
) ss
County of Klamath)
)
June 23, 1992)
)

Personally appeared the above-named Dolores M. McCarty
and acknowledged the foregoing instrument
to be their voluntary act.

Before me:



Mary E. Groomer
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-18-94

XL3443

Returned: Dolores McCarty
RR 2, Box 352
Bonanza, Or. 97623

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

Dolores McCarty
on this 23rd day of June A.D., 19 92
at 11:02 o'clock A M. and duly recorded
in Vol. M92 of Deeds Page 13709.

Evelyn Biehn County Clerk
By Pauline G. Mendenhall
Deputy.

Fee, \$35.00