

WHEREAS Judith R. Brown  
Helen I. Brown ("GRANTOR") is the owner  
of the following two lots (or parcels) of real property located in  
KIAMATH County, Oregon, to wit:

Lot I:

TAX LOT 8000

TOWNSHIP 36

SPORTSMAN PARK

36 06 03 B D

Lot II:

TAX LOT 9000

TOWNSHIP 36

SPORTSMAN PARK

36 06 03 B D

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 \_\_\_\_\_ day of 11/15, 1993.

(Grantors)

STATE OF OREGON )

County of Klamath )

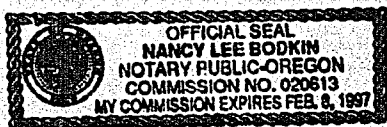
November 15, 1993 )

ss

*Quint R Brown*  
*Helen L Brown*

Personally appeared the above-named Audrey & Helen Brown and acknowledged the foregoing instrument to be their voluntary act.

Before me:



*Nancy Lee Bodkin*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 2/8/97

Return: Audie R. Brown  
300 Luman Rd. #115  
Phoenix, Or. 97535

XL3443

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Audie R. Brown the 15th day of Nov. A.D., 19 93 at 10:24 o'clock AM., and duly recorded in Vol. M93 of Deeds on Page 30009.

Evelyn Biehn - County Clerk  
By *Debra M. Mustard*

FE\$35.00