

EASEMENT

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WHEREAS Donald R. Lillian V. Manning ("GRANTOR") is the owner of the following two lots (or parcels) of real property located in Klamath County, Oregon, to wit:

Lot I:

Lot 5
TAX Lot 5200
Township 39 Range 8 S31

Lot II:

Lot 6
TAX Lot 4900
Township 39 Range 8 S31
EASEMENT FOR DRAIN FIELD FOR Lot 5

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 July day of 11, 1994.

(Grantors)

STATE OF OREGON

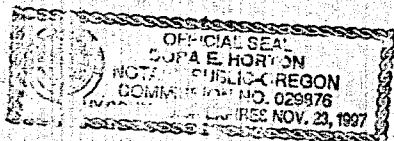
County of KlamathJuly 11, 1994

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Lillian V. Manning

Personally appeared the above-named Lillian Viollette Manning and acknowledged the foregoing instrument to be their voluntary act.

Before me:



Supa E. Horton
NOTARY PUBLIC FOR OREGON
My Commission Expires: Nov 23, 1997

XL3443

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

Lillian Manning

on this 11th day of July A.D., 19 94
at 10:11 o'clock A M. and duly recorded
in Vol. M94 of Deeds Page 21327

Evelyn Biehn County Clerk
By James M. Nelson

Deputy

Fee, \$15.00

Deputy

Return: Lillian Manning
Box 365
Bonanza, Or. 97623