

85440

EASEMENT

Volm94 Page 24144

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

I. & T.

The SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, Township 38 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon; The NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, Township 38 South, Range 11 East of the Willamette Meridian; Also that portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30, Township 38 South, Range 11 East of the Willamette Meridian lying North of the following described line:

Beginning at a point on the centerline of Haskins Road, being accepted as the West line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, said point being North 00 degrees 39' 36" East 2184.0 feet from the South Quarter Corner of said Section 30, said quarter corner being marked by a P K nail 29.00 feet West of a 1" iron pipe as per Survey No. 1713 and Major Land Partition No. 3-88; thence East 1320 feet, more or less, to a point on the East line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ with bearings based on said Survey No. 1713.

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

Return to:

Nancy Hammerich
2311 HASKINS RD
Bonanza, OR 97623

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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 4th day of August, 1994.

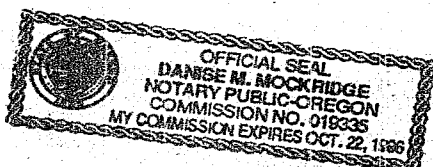
STATE OF OREGON
County of Klamath) ss
August 4, 1994)

(Grantors)

Walt Hammerich
Nancy Hammerich

Personally appeared the above-named Walt & Nancy Hammerich to be their voluntary act. and acknowledged the foregoing instrument Before me:

Danise Mockridge



Danise Mockridge
NOTARY PUBLIC FOR OREGON
My Commission Expires: 10-22-96

XL3443

STATE OF OREGON: COUNTY OF KLAMATH. ss.

Filed for record at request of Nancy Hammerich
of Aug A.D., 19 94 at 9:22 o'clock A M., and duly recorded in Vol. M94 day
of Deeds on Page 24144

FEE \$15.00

Evelyn Biehn
By Danise Mockridge County Clerk