

## E A S E M E N T

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

Lot I:

*Located on the northeast corner of Jay  
Lot 300*

Lot II:

*Tex Lot 000*

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 \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Grantors)

STATE OF OREGON )

County of KLAMATH )

April 14, 1995 )

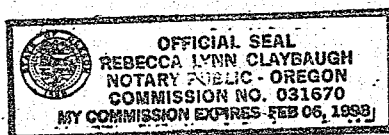
ss

Marta C. Kollman

Personally appeared the above-named Marta C. Kollman

\_\_\_\_\_ and acknowledged the foregoing instrument to be their voluntary act.

Before me:



Rebecca Lynn Claybaugh  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 2-6-98

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ New Earth \_\_\_\_\_ the 26th \_\_\_\_\_ day  
of \_\_\_\_\_ April \_\_\_\_\_ A.D., 19 95 at 10:30 o'clock \_\_\_\_\_ A. M., and duly recorded in Vol. \_\_\_\_\_ 1995  
of \_\_\_\_\_ Deeds \_\_\_\_\_ on Page 10558

FEE \$35.00

By Bernetha G. Lersch County Clerk