

24178

EASEMENT

County Clerk
Vol. 1996 Page 27398

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

Lot I: Block 5

Lot 16

Tax Acct # 35-9-24-3400

Lot II:

Block 5

Lot 16

Tax Acct # 35-9-24-3500

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

96 SEP -3 P 3:04

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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 6th day of AUGUST, 1996.

(Grantors)

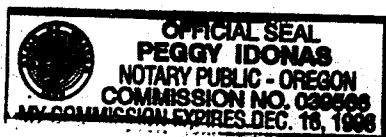
STATE OF OREGON)
) ss
County of Klamath)
AUGUST 6, 1996)

Stanley G. Michael

Personally appeared the above-named Stanley A. Michael

_____ and acknowledged the foregoing instrument to be their voluntary act.

Before me:



Peggy Idonas
NOTARY PUBLIC FOR OREGON
My Commission Expires: 12/16/98

XL3443

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of BLM Services the 3rd day of September A.D., 19 96 at 3:04 o'clock PM., and duly recorded in Vol. M96 of Deeds on Page 27398.

FEE \$15.00
2.00/cc

Return: BLM Services

247 E Tahquitz Cyn Hwy #2527
Palm Springs, California 92262-6454

Bernetha G Letsch, County Clerk

By *Cheryl Russell*