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## EASEMENT

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

Lot I:

T31S R07EWM S012A0  
Mt Scott Meadows Block 17 Lot 23 TAX Lot 3000

Lot II:

T31S R07EWM S012A0 TAX Lot 2900  
Mt Scott Meadows Block 17 Lot 22

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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1500  
copies 100

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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 4<sup>th</sup> day of October, 1996.

(Grantors)

STATE OF OREGON )

County of Klamath )10-4 ), 1996 )

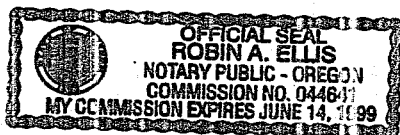
ss

*Bennie Tibbets*

Personally appeared the above-named Bennie Tibbets

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

Before me:



*Robin A. Ellis*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 6-14-99

XL3443

Return: Bennie Tibbets  
Hc 63 Box 338  
Chiloquin, Or. 97624

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Bennie Tibbets the 4th day of October A.D., 19 96 at 11:39 o'clock A. M., and duly recorded in Vol. M96, of Deeds on Page 31632.

FEE \$15.00  
1.00 copies

Bernetha G. Letsch

By

County Clerk

*Bernetha Letsch*