

EASEMENT AGREEMENT
(Continuous Ownership)

WHEREAS, Leonard Whitaker ("GRANTOR") is the owner of the following two lots (or parcels) of real property located in Klamath County, Oregon, To-wit:

Lot I:

T31 R7 S12 TL 1900
MT Scott Meadows

Lot II:

LOT 12 BIK 11 Parcel 2

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
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.

EASEMENT AGREEMENT

(Common Ownership)

Page 1

IN WITNESS WHEREOF, the GRANTOR executed this easement on this 15 day of July, 1997

Leonard Whittaker Jr.
(Grantors)

STATE OF OREGON

County of Klamath ss.

15 Jan, 1997

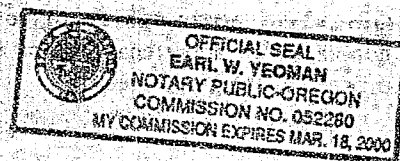
Personally appeared the above-named Leonard Whittaker Jr.

and acknowledged the foregoing instrument to be

their voluntary act.

Before me:

Earl W. Yeoman
Notary Public For Oregon

My commission expires: 3-18-00

STATE OF OREGON; COUNTY OF KLAMATH: ss.

Filed for record at request of Leonard Whittaker Jr. the 15th day
of July A.D., 1997 at 1:01 o'clock P. M., and duly recorded in Vol. M97
of Deeds on Page 22119

FEE \$15.00
1.00 copy
Return: Vans Home Center
1431 E. Side Bypass
KFO 97603

By Bernetha G. Letsch, County Clerk
Kettler Ross