

EASEMENT AGREEMENT

(Common Ownership)

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

Lot I:

T31 R7 S12 TL 1980

MT Scott Meadows

LOT 12 BLK 11 Parcel 2

Lot II:

T31 R7 S12 TL 2000

MT Scott Meadows

LOT 11, BLK 11

* To record to add Lot II

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 (Partnership))

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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 July, 1997)

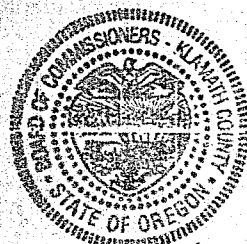
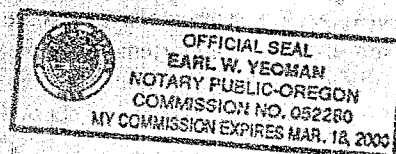
Personally appeared the above-named Leonard Whittaker Jr.

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 Return: Vans Home Center
1.00 copy 1431 E. Side Bypass By Bernetha G. Lersch, County Clerk
KFO 97603 Kathleen Ross

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Leonard Whittaker Jr. the 16th day of July A.D., 1997 at 1:03 o'clock P.M., and duly recorded in Vol. M97 of Deeds on Page 22391

FEE \$10.00 Re-record By Bernetha G. Lersch, County Clerk
1.50 c.c. Kathleen Ross

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