

## EASEMENT AGREEMENT

(Common Ownership)

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

Lot I: Lot 20 Block 105 of Klamath Falls Forest Estates Hwy 66 Unit, Plat 4 Township 37S range 11E section 36

Lot II: Lot 19 Block 105 of Klamath Falls Forest Estates Hwy 66 Unit, Plat 4 Township 37S range 11E section 36

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.

32751

## EASEMENT AGREEMENT

(Common Ownership)

Page - 2 -

IN WITNESS WHEREOF, the GRANTOR executed this easement on this  
 day of Oct 23, 1997

(Grantors)

STATE OF OREGON )

County of Klamath )

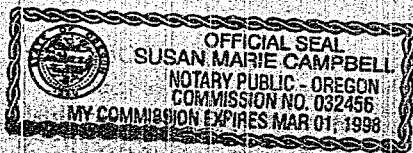
ss.

October 3, 1997 )

Personally appeared the above-named

Eddie V. Young  
Pamela J. Young and acknowledged the foregoing instrument to be  
 their voluntary act.

Before me:



Susan Marie Campbell  
 Notary Public For Oregon  
 My commission expires, 3-1-98

STATE OF OREGON, COUNTY OF KLAMATH: ss.

Filed for record at request of Pam Young  
 of October A.D., 1997 at 10:06 o'clock A. M., and duly recorded in Vol. M97  
 of Deeds on Page 32750

Return: Pam Young

FEE \$15.00  
 1.00 copy

10542 Kinglet Dr.  
 Bonanza, Or. 97623

By Bernetha G. Latsch, County Clerk  
Kathleen Ross