

EASEMENT AGREEMENT
(Common Ownership)

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

Lot I: Lot 5, Block 49, Klamath Forest Estates, 1st Addition

Lot II: Lot 6, Block 49, Klamath Forest Estates, 1st Addition

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.

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IN WITNESS WHEREOF, the GRANTOR executed this easement on this 20 day of October, 1997.

(Grantors)

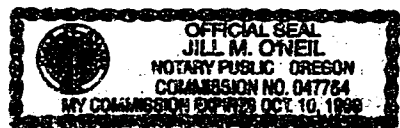
Ellen Suing
Ellen Suing

STATE OF OREGON)
County of Klamath) ss.
October 20, 19 97)

Personally appeared the above-named Ellen Suing

and acknowledged the foregoing instrument to be their voluntary act.

Before me:



Jill M. O'Neil
Notary Public For Oregon
My commission expires; 10/10/99

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Ellen Suing the 22nd day of October A.D., 19 97 at 11:46 o'clock A. M., and duly recorded in Vol. M97 of Deeds on Page 34777.

Return: Ellen Suing Bernetha G. Leisch, County Clerk

FEE \$15.00 P.O. Box 302
1.00 c.c. Sprague River, Or.
97639

By Kathleen Ross