

MTC 1396-8760
EASEMENT AGREEMENT
 (Common Ownership)

Sidney L. Ulam and Laura R. Ulam

WHEREAS, ~~as tenants by the Entire~~ **GRANTOR** is the owner of the following two lots (or parcels) of real property located in Klamath County, Oregon, To-wit:

Lot I:

Lot 6, Block 1, Tract 1021, WILLIAMSON RIVER KNOLL, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Lot II:

Lot 5, Block 1, Tract 1021, WILLIAMSON RIVER KNOLL, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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.

AERITE has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

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IN WITNESS WHEREOF, the GRANTOR executed this easement on this 4th

day of December, 19 97.

Sidney L. Ulam

Laura R. Ulam

(Grantors)

STATE OF OREGON

County of Klamath

DEC 4 19 97

Personally appeared the above-named SIDNEY L. ULAM AND

LAURA R. ULAM

and acknowledged the foregoing instrument to be

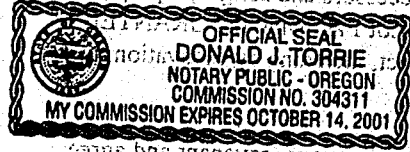
their voluntary act.

Before me:

Donald J. Torrie

Notary Public For Oregon

My commission expires 10-14-2001



STATE OF OREGON: COUNTY OF KLAMATH: ss:

Filed for record at request of Amerititle the 12th day of December A.D., 19 97 at 11:19 o'clock A.M., and duly recorded in Vol. M97 of Deeds on Page 40461

FEE \$15.00

By Bernetha G. Letsch, County Clerk