

EASEMENT AGREEMENT
(Common Ownership)

WHEREAS, Gary N. & Lois K. Welburn ("GRANTOR") is the owner of the following two lots (or parcels) of real property located in Klamath County, Oregon, To-wit:

Lot I:

T36, R10, ^S2; TL200

Lot II:

T36, R10, ^S2; TL300

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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Page - 2 -

IN WITNESS WHEREOF, the GRANTOR executed this easement on this 16th
day of July, 1998.

(Grantors)

STATE OF OREGON)

County of Jackson) ss.July 16, 1998)

Gary N. Welburn
Gary N. Welburn

Lois K. Welburn
Lois K. Welburn

Personally appeared the above-named Gary N. & Lois K. Welburn

and acknowledged the foregoing instrument to be

their voluntary act.

Before me:



William L. Coulter
Notary Public for Oregon

My commission expires; Aug. 28, 2000

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Gary M. Welburn the 17th day
of July A.D., 1998 at 9:41 o'clock A M., and duly recorded in Vol. M98
of Deeds on Page 25903.

Bernetha G. Letsch, County Clerk

By Kathleen Ross

FEE \$15.00

Return: Gary N. Welburn
515 Creel Rd.
Talent, OR 97540