

EASEMENT AGREEMENT

JAMES F. DOUGHERTY

(Common Owner)

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

Lot I: LOT 22 BLOCK 1

TRACT 1053

3507-6AC-1400

Lot II: LOT 23 BLOCK 1

TRACT 1053

3507-6AC-1300

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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State of Oregon, County of Klamath
Recorded 09/26/03 1:33 P.m.
Vol M03 Pg 71803-4
Linda Smith, County Clerk
Fee \$ 26⁰⁰ # of Pgs 2

800.47

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(Common Ownership)

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IN WITNESS WHEREOF, the GRANTOR executed this easement on this _____
day of 26 September 2003

James F. Dougherty

(Grantors)

STATE OF OREGON)

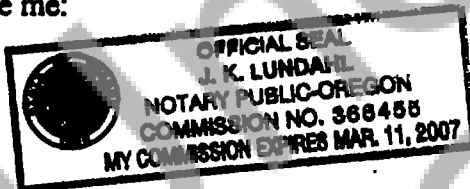
County of Klamath) ss.

Sept. 26, 2003)
_____)

Personally appeared the above-named JAMES F. DOUGHERTY

_____ and acknowledged the foregoing instrument to be
their voluntary act.

Before me:



J. K. Lundahl

Notary Public For Oregon
My commission expires;