

'04 MAY 20 AM 11:18

Vol M04 Page 31728

State of Oregon, County of Klamath
Recorded 05/20/2004 11:18 A m
Vol M04 Pg 31728-29
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

EASEMENT AGREEMENT
(Common Ownership)

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

Lot I:

Lot 46 Block 44, Tract No. 1184 Oregon Shores Unit II
Klamath County
Tax Acct #: 3507-018 AA-00500-000

Lot II:

Lot 47 Block 44, Tract No 1184 Oregon Shores Unit II
Klamath County
Tax Acct No: 3507-018 AA-00400-000

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

E:\WORDPOSS\FORMS\EASEMENTC.DOC\DEQ-ERP-597

Michael Dirickson
523 Pitcairn Dr.
Foster City, CA. 94404

Returned to Grantor
26

31729

EASEMENT AGREEMENT

(Common Ownership)

Page - 2 -

IN WITNESS WHEREOF, the GRANTOR executed this easement on this 20th
day of MAY, 19 2004

(Grantors)

STATE OF OREGON)

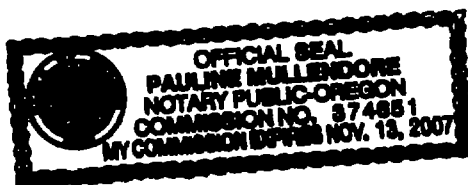
County of Klamath) ss.

May 20, 19 2004)
_____)

Personally appeared the above-named Michael E. Dirickson

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

Before me:



Pauline Mullendore
Notary Public For Oregon
My commission expires; 11-13-07