

EASEMENT AGREEMENT
(Common Ownership)

State of Oregon, County of Klamath
Recorded 05/24/2004 11:31 a m
Vol M04 Pg 32643-44
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

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

Lot I: Oregon Shores Unit II Block 46 LT 13 TL 5000
Track 1184

Lot II: Oregon Shores Unit II Block 46 LT 14 TL 5100
Track 1184

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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Pl: on site program
OC

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IN WITNESS WHEREOF, the GRANTOR executed this easement on this 12th
 day of May, 2004

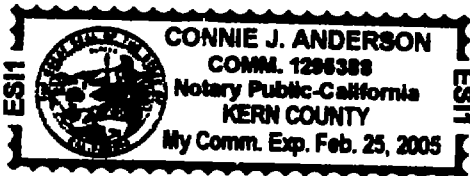
Bradley J. Witman Malena Wittman

(Grantors)

STATE OF ~~OREGON~~ ^{CALIFORNIA})
)
 County of KERN) ss.
)
May 12, 2004)
)

Personally appeared the above-named BRADLEY J. WITMAN &
MALENA M. WITTMAN and acknowledged the foregoing instrument to be
 their voluntary act.

Before me:



Connie J. Anderson
 Notary Public For ~~Oregon~~ CALIFORNIA
 My commission expires; Feb 25, 2005

RECEIVED
 MAY 17 2004