

EASEMENT AGREEMENT
(Common Ownership)

State of Oregon, County of Klamath
Recorded 06/21/2004 12:45 p m
Vol M04 Pg 39732-33
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

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

Lot I: 3606-3A A-2100

Arrowhead Village Block 8, Lt 3

Lot II: 3606-3A A 2800

Arrowhead Village Block 8 Lot 10

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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IN WITNESS WHEREOF, the GRANTOR executed this easement on this 21 day of June, 19 2004

(Grantors)

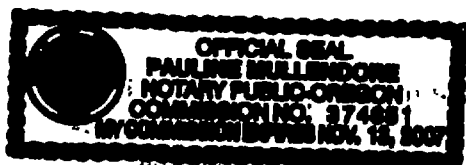
STATE OF OREGON)
County of Klamath) ss.
June 21, 19 2004)

Jimmy Brotherton

Personally appeared the above-named Jimmy Brotherton

and acknowledged the foregoing instrument to be their voluntary act.

Before me:



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

Returned @ Counter

JIMMY L. BROTHERTON
4411 FOOTHILL RD.
GRANTS PASS, OREGON
97526