

State of Oregon, County of Klamath
 Recorded 05/09/2005 1:20 p.m.
 Vol M05 Pg 33420
 Linda Smith, County Clerk
 Fee \$ 26.00 # of Pgs 2

'05 MAY 9 PM 1:20

EASEMENT AGREEMENT

(Common Ownership)

WHEREAS, Pelican Bluff LLC ("GRANTOR") is the owner of the following two lots (or parcels) of real property located in Klamath County, Oregon, To-wit:

Lot I: all of Gourn. lot 1 of sec 31, township 39 S. Range 10 East of the Willamette Meridian, Klamath County, Oreg. portion for US right of way for Irrigation Canal
 R-3910-03100-00100

This will contain septic system

Lot II: that portion of Gourn. lot 1 (SE 1/4 SE 1/4) of sec. 30 township 39 South, Range 10 E. of the Willamette Meridian Klamath County Oregon, lying south of USRS Diversion Canal
 R-3910-03000-02700

This will contain house site

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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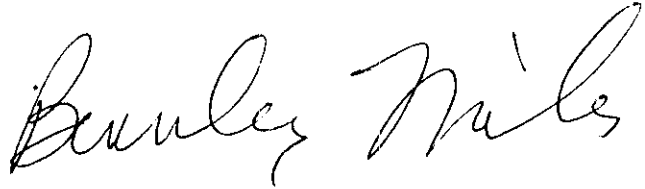
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IN WITNESS WHEREOF, the GRANTOR executed this easement on this 9th
 day of May, 2005

(Grantors)

STATE OF OREGON)

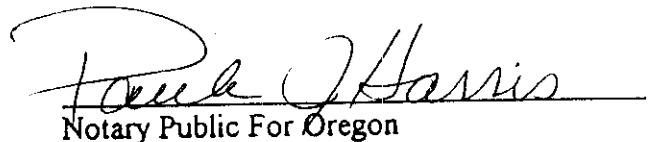
County of Klamath) ss.
 , 2005)
)



Personally appeared the above-named Beverly Sharron Miles

dba Pelican Bluff LLC and acknowledged the foregoing instrument to be
 their voluntary act.

Before me:

Notary Public For Oregon

My commission expires; Nov 29, 2008