

05 MAY 10 PM 10:05

EASEMENT AGREEMENT  
(Common Ownership)

o/c

WHEREAS, Tate Dickey ("GRANTOR") is the owner of the following two lots (or parcels) of real property located in KIAMATH County, Oregon, To-wit:

Lot I: 3811-01600-3500 <sup>FD 61</sup> BLK 61/Lot 32  
KIAMATH FOREST ESTATES  
Lot 32, Block 61, KFE, HWY 66 UNIT,  
PLAT 2

Septic system for the  
house on Lot 32 will be  
PARTIALLY on Lot 32 and 6

Lot II: 3811-0600-02900 <sup>FD 61</sup> BLK 61/Lot 6  
KIAMATH FOREST ESTATES  
Lot 6, Block 61, KFE, HWY 66 UNIT, PLAT 2

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 19<sup>th</sup>  
 day of May, 19<sup>th</sup> 20<sup>05</sup>

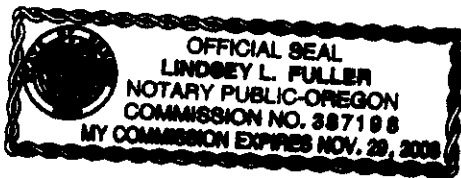
Fate Dailey  
 (Grantors)

STATE OF OREGON )  
 )  
 County of Klamath ) ss.  
May 19, 20<sup>05</sup> )  
 )

Personally appeared the above-named Dailey, Fate

\_\_\_\_\_ and acknowledged the foregoing instrument to be  
 their voluntary act.

Before me:



Lindsey L. Fuller  
 Notary Public for Oregon  
 My commission expires;