

## EASEMENT AGREEMENT

(Common Ownership)

OK  
 +three WHEREAS, James C Callahan ("GRANTOR") is the owner of the following  
 two lots (or parcels) of real property located in Klamath County, Oregon, To-wit:

Lot I: Prop ID R485120 mapTax Lot R-3811-V3480-01500

Lot II: Prop ID R485148 map tax lot R-3811-V3480-01600

Lot III Prop ID R485157 map tax lot R 3811-V3480-01700

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~~ <sup>water</sup> system ("Report") on Lot I intended to serve Lot II; and Lot III with water from well on Lot #1  
 until such time that wells are put in Lot #II + Lot #III.

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:\WORDPROSS\FORMS\EASEMENT.C.DOC\DEQ-ERP-5/97

State of Oregon, County of Klamath  
 Recorded 06/07/05 1:55 p m  
 Vol M05 Pg 42214-15  
 Linda Smith, County Clerk  
 Fee \$ 26.00 # of Pgs 2

2600

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IN WITNESS WHEREOF, the GRANTOR executed this easement on this 17<sup>th</sup>  
day of June, 192005.

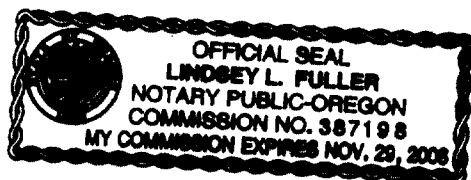
*James C Callahan*  
(Grantors)

STATE OF OREGON )  
County of Klamath ) ss.  
June 7, 20 05 )  
\_\_\_\_\_ )

Personally appeared the above-named Callahan, James Chester

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

Before me:



*Lindsey L Fuller*  
Notary Public For Oregon  
My commission expires; 11/29/2008