

# EASEMENT AGREEMENT

(Common Ownership)

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

Lot I: R425105 - MAP # R-3808-25DB  
 TAXLOT 1200 (Lake Shore Gardens (RW)  
 TAX CODE 190 Lot 21B)  
 ZONING R5

Lot II: R425098  
 TAXLOT # 1100  
 TAX CODE # 190 (Lake Shore Gardens (RW)  
 ZONING R5 Lot 22B)

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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Rt. Gary Mackenzie  
 PO Box 155  
 La Canada, CA  
 91012

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IN WITNESS WHEREOF, the GRANTOR executed this easement on this 5th  
day of August, 2005

(Grantors) GARY G. Mackenzie

CALIFORNIA  
STATE OF ~~OREGON~~ )  
County of Los Angeles ) ss.  
August 5, 2005 )

Personally appeared the above-named

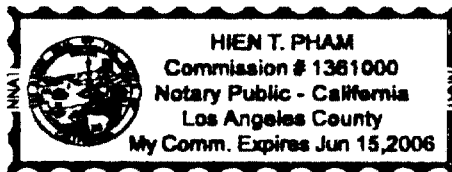
Gary G. Mackenzie

Signed

and acknowledged the foregoing instrument to be

their voluntary act.

Before me:



HPham

Notary Public For ~~Oregon~~

CALIFORNIA

My commission expires;