



OCTOBER 4, 2005

EASEMENT AGREEMENT

(Common Ownership)

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

Lot I: LOT 20, BLOCK 9, OREGON SHORES TRACT 1053
R-3507 0608-3600

Lot II: LOT 21 BLOCK 9 OREGON SHORES TRACT 1053
R-3507 0608-03700

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.

CA
31
ret'd Wallace Merriman

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IN WITNESS WHEREOF, the GRANTOR executed this easement on this 27th
day of SEPTEMBER, 2005.

(Grantors)

STATE OF ~~OREGON~~ Hawaii)

County of Honolulu)

ss.)

September 28, 2005)

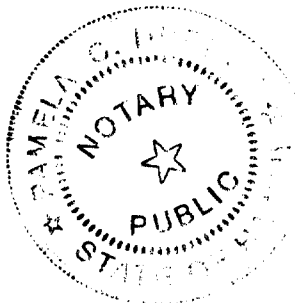
Wallace Merriman

Personally appeared the above-named WALLACE & BERNICE MERRIMAN

and acknowledged the foregoing instrument to be

their voluntary act.

Before me: Pamela C. Dupraw



Pamela C. Dupraw
Notary Public For Oregon Hawaii
My commission expires: 08/05/09

State of Oregon

County of Klamath

On this 4th day of OCT., 2005, personally appeared before me the above named
Wallace Merriman, and acknowledged the foregoing instrument to be
his/her/their voluntary act and deed.

WITNESS My hand and official seal.

Wallace Merriman

Kate Lukkari

Notary Public for Oregon

My Commission expires: May 30 2009

