

**M06-13331**

Klamath County, Oregon

06/30/2006 08:14:32 AM

Pages 2 Fee: \$46.00

**EASEMENT AGREEMENT  
(Common Ownership)**

**WHEREAS, Fred and Manuella Van Trease ("GRANTOR")** is the owner of the following two lots (or parcels) of real property located in **Klamath County, Oregon**, To-wit:

**Lot I: Lot 123, Tax Lot 5300 Odessa Summer Homes, T36S., R06E., Sec14CD**

**Lot II: Lot 124, Tax Lot 5400 Odessa Summer Homes, T36S., R06E., Sec14CD**

**Lot III: Lot 125, Tax Lot 5500 Odessa Summer Homes, T36S., R06E., Sec14CD**

**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 Lots II & III; 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 2 additional lots;

**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 Lots II & III.**

**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 Lots II & III upon severance of the above described lots; and

2. ~~NOTE: GRANTOR shall not use the lot to any use which would be detrimental to the~~  
~~sewage disposal system or contrary to any law (including an administrative rule)~~  
~~applicable to the sewage disposal system.~~

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IN WITNESS WHEREOF, the GRANTOR executed this easement on this

19<sup>th</sup> day of JUNE, 2006

(Grantors)

STATE OF CALIFORNIA  
OREGON

County of RIVERSIDE

JUNE 19, 2006

\*Fred Van Trease

\*Manuela Van Trease

Personally appeared the above-named FRED VANTREASE AND  
MANUELLA VANTREASE and acknowledged the foregoing instrument to  
be their voluntary act.

Before me: TAMARA LYNN STOWE  
81096 US HWY 111, STE. H  
INDIO, CA 92201

Tamara Lynn Stowe  
Notary Public for Oregon, California  
My commission expires;

