

2007-006432

Klamath County, Oregon



00019653200700064320030036

04/06/2007 11:34:08 AM

Fee: \$31.00

EASEMENT AGREEMENT

(Common Ownership)

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

Lot I: R-36-06-003AB-00200

The N.E. septic system approval on tax lot #200 will service proposed dwelling on tax lot 900 lot #21 *see attached

Lot II: R-36-06-003AB-00900 lot #21

Harmon Park Subdivision

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 Apr 6th
day of April, 2007. by

(Grantors)

STATE OF OREGON)

County of Klamath)

April 6, 2007)

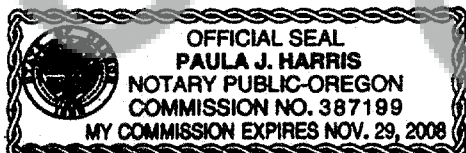
ss. Shirley M Meilicke

Personally appeared the above-named Shirley M Meilicke

and acknowledged the foregoing instrument to be

their voluntary act.

Before me:



Paula J Harris
Notary Public For Oregon
My commission expires;

EXHIBIT "A"
LEGAL DESCRIPTION

Government Lot 2 of Section 3, Township 36 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon. EXCEPTING THEREFROM that portion awarded to Klamath County, Oregon, by condemnation suit 73-95L, filed May 25, 1973 in the Circuit Court of the State of Oregon for the County of Klamath. ALSO EXCEPTING any portion lying with Harriman Park, Klamath County, Oregon. ALSO EXCEPTING and excluding therefrom all the following described real property situate in Klamath County, Oregon: That portion of the N1/2 of the NW1/4 of the SE1/4 of Section 3, Township 36 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon, that lies to the North of the Forest Highway 48.

SUBJECT TO:

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
2. An easement created by instrument, subject to the terms and provisions thereof,
Dated: September 30, 1980
Recorded: October 8, 1980
Volume: M80, page 19550, Microfilm Records of Klamath County, Oregon
In favor of: Pacific Power & Light Company
For: An electrical transmission and distribution line
3. An easement created by instrument, subject to the terms and provisions thereof,
Dated: August 23, 1982
Recorded: August 26, 1982
Volume: M82, page 11230, Microfilm Records of Klamath County, Oregon
In favor of: Telephone Utilities of Eastern Oregon
For: To bury and maintain underground telephone facilities

STATE OF OREGON; COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title co the 27th day
of Nov. A.D., 19 92 at 3:30 o'clock P.M., and duly recorded in Vol. M92
of Deeds on Page 28159.

FEE \$35.00

Evelyn Biehn County Clerk

By Pauline M. Mendenhall