

2008-015213

Klamath County, Oregon



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11/10/2008 02:42:51 PM

Fee: \$26.00

EASEMENT AGREEMENT

(Common Ownership)

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

Lot I: Oregon Shares I Lot 36 block 16 Tract 1053
Tax Lot - 3507-006DB-05700-

Lot II: Oregon Shares I Lot 35 block 16 Tract 1053
Tax Lot - 3507-006DA-03200

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.

2AWORDPOSSIDFORMSEASEMENTENC DOC/DEQ-EP-1/97

Returned to Counter

Judy Say
 po Box 133
 Chiloquin Or
 97624

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Page - 2.

IN WITNESS WHEREOF, the GRANTOR executed this easement on this 30TH
day of OCTOBER 30, 2008

(Grantor)

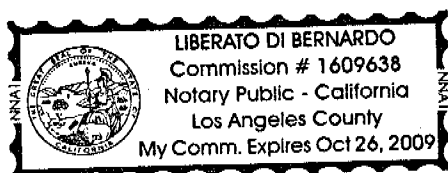
CALIFORNIA
STATE OF)
County of LOS ANGELES) ss.
OCTOBER 30, 2008)
_____)

Personally appeared the above-named

Maryluva Napier

✓ Stephen S. Napier
and acknowledged the foregoing instrument to be
their voluntary act.

Before me:



Liberato Di Bernardo
Notary Public For Oregon
My commission expires: 10-26-09