

**EASEMENT FORM**

**DIFFERENT OWNER**



## INSTRUCTIONS FOR PREPARING SEPTIC SYSTEM EASEMENTS

A recorded utility easement is required whenever a septic system crosses a property line. For example, a drainfield or a sand filter system may be located on one piece of property & the dwelling which it serves on another separate piece of property. The easement must accommodate that part of the system, including setbacks, which lies beyond the property line & must allow entry to install, maintain & repair the system. The amount of land needed will vary with individual site conditions.

1. The attached **easement agreement** form must be completed in full, signed by both the grantors & grantees and notarized. Metes & bounds descriptions must be provided for the grantees' property, the grantors' property & for the easement itself. The legal description of the easement must be prepared by an engineer or land surveyor registered by the State of Oregon.
2. A **plot plan**, certified by an engineer or land surveyor registered by the State of Oregon, showing the boundaries of the easement & the relationship of the easement to the building site, is required. This plot plan **must** be drawn to scale divisible by 10 & on paper **no bigger** than 11" x 17".

It must show locations & relationships of structures, water supplies, sewage disposal systems (both existing & proposed), test holes to each other & to property lines & verifying the relationship of the easement to the proposed sewage disposal area.

We suggest that the engineer or surveyor employed consult with the Department prior to working on the job to discuss this matter.

3. **Both the easement agreement & the plot plan must be recorded** with the Lane County's Recorder's Office.
4. **A copy of the recorded document must be submitted to this office.** It will become a permanent portion of the records for the subject parcel.

Lane County Land Management Division  
125 East 8<sup>th</sup> Avenue  
Eugene OR 97401

After Recording Return to:

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Grantor's Name and Address:

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Grantees Name and Address:

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## EASEMENT AGREEMENT

THIS AGREEMENT, made this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_, grantors and \_\_\_\_\_, grantees;

WHEREAS, grantees are the owners of the following described real property in \_\_\_\_\_ County, Oregon, to-wit:

The grantors do hereby grant and convey to the grantees, their heirs, successors and assigns, a nonexclusive easement described as follows, to-wit:

(Note: Recommend attaching a survey map of the specific easement area)  
subject to liens and encumbrances of record, in and upon the following described real property of grantors in \_\_\_\_\_ County, Oregon, to-wit:

*Recording label here*

for the construction, maintenance, use and repair of an individual onsite wastewater treatment system (hereinafter called "system") appurtenant to the above described property of grantees.

Grantors, for themselves and their heirs, successors and assigns, covenant and agree to and with the grantees, their heirs, successors and assigns, that the above-described property of the grantors shall not be used for any conflicting use or purpose detrimental to said system or contrary to laws and rules of governmental agencies applicable or related to said system.

Owner's Name\_\_\_\_\_ and\_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date first hereinabove written.

\_\_\_\_\_  
\_\_\_\_\_  
(Grantors)

\_\_\_\_\_  
\_\_\_\_\_  
(Grantees)

STATE OF OREGON )  
County of \_\_\_\_\_ ) ss.  
 )  
\_\_\_\_\_, 20\_\_\_\_ )  
 )

Personally appeared the above-named \_\_\_\_\_  
\_\_\_\_\_, grantors. and  
acknowledged the foregoing instrument to be their voluntary act.

Before me:

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires\_\_\_\_\_