

38033

Vol. 1791 Page 25053

Upon recording return to: Mr. & Mrs. Calvin Caldwell, 8011 Pacific Ln., Klamath Falls, OR 97603

MTC 26451-KR

CONDITIONAL USE PERMIT

RESTRICTIVE COVENANT FOR QUIET ENJOYMENT

KNOW ALL MEN BY THESE PRESENTS that Calvin Caldwell and Deborah Young, in consideration of the approval by Klamath County, Oregon of C.U.P. 69091 of the following described real property situated in Klamath County, Oregon:

A tract of land situated in Government Lots 20, 21 and 22 of Section 5, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Beginning at the northwest corner of said Government Lot 21; thence South 01 degrees 54' 38" West 664.38 feet to the Southwest corner of said Lot 21; thence South 89 degrees 28' 18" East 1331.08 feet to the Southerly corner common to said Lots 21 and 22; thence along the Southerly line of said Lot 22, North 88 degrees 56' 31" East 337.52 feet to the Southwesterly right of way line of State Highway No. 62; thence North 28 degrees 52' 30" West along said Southwesterly right of way line, 1381.76 feet; thence South 61 degrees 07' 30" West 1118.09 feet to the point of beginning, with bearings based on Survey No. 2694, as recorded in the office of the Klamath County Surveyor.

EXCEPTING THEREFROM that portion lying within the State Highway #62.

Tax Account No. 3507-00500-00800

and in consideration of the benefits accruing to the above-named and the above described real property by reason of said approved C.U.P., we, the undersigned, for ourselves and our successors and assigns, do covenant, grant, bargain and agree to allow the owners and their successors and assigns of the following described real property situated in Klamath County, Oregon:

Section 5 and 6, Township 35 South, Range 7 E.W.M. to peaceably and quietly farm, ranch, cultivate, husband and in any or all ways utilize said property for agricultural and/or forestry purposes and pursuits without complaint, suit, trouble, molestation, eviction or disturbance on our part or the part of our successor or assigns.

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The rights created by this covenant shall be appurtenant to the partitioned parcels with the rights and obligations contained herein to run with the land.

## 1. CONDITIONAL USE PERMIT

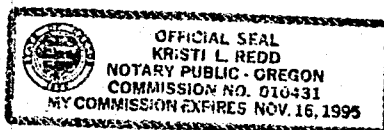
IN WITNESS WHEREOF, I have set my hand and seal this 27<sup>th</sup> day of November 1991.

Calvin Caldwell  
Calvin Caldwell

Deborah Young  
Deborah Young

STATE OF OREGON       )  
County of Klamath    )    as, 11/27, 1991

Personally appeared the above-named Calvin Caldwell and Deborah Young, acknowledge the foregoing to be their voluntary act and deed.



Kristi L. Redd  
Notary Public for Oregon  
My Commission expires: 11/16/95

STATE OF OREGON: COUNTY OF KLAMATH:

Filed for record at request of Mountain Title Co the 2 day of Dec A.D. 1991 at 10:27 AM, and duly recorded in Volume M91 of Deeds on page 25053.

Evelyn Biehn  
By: Bernette H. Hirsch County Clerk

Fee 13.00  
cc \_\_\_\_\_