

Return To Steve Belden



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04/12/2007 02:59:53 PM

Fee: \$26.00

# **RESTRICTIVE COVENANT** **Discretionary Land Use Permit – Big Game Winter Range**

The undersigned, being the record owners of all of the real property described as follows; 13688 PEARSON BUTTE TRAIL and further identified by "Exhibit A" attached hereto, do hereby make the following restrictive covenant(s) for the above-described real property, specifying that the covenant(s) shall run with the land and shall be binding on all persons claiming under such land, and that these restrictions shall be for the benefit of and limitation on all future owners of said real property.

In consideration of approval by Klamath County, Oregon of a land use permit to construct a single family dwelling on property designated by the Klamath County Assessor's Office as Tax Lot 1500 in Township 40 South, Range 08 East, Section 02000, and located within an identified Goal 5 Big Game Winter Range habitat area, the following restrictive covenant(s) hereafter bind the subject property:

"Declarant and Declarant's heirs, legal representatives, assigns, and lessees hereby acknowledge and agree to accept by the recording of this instrument that the property herein described is subject to Statewide Planning Goal 5 resource habitat protections implemented through the Klamath County Land Development Code, which requires the owner to control free-roaming dogs and prohibits off-road vehicle use on the property herein described during the period of November through April each year."

This covenant shall not be modified or terminated except by the express written consent of the owners of the land at the time, and the Klamath County Community Development Department, as hereafter provided.

KLAMATH COUNTY, a political subdivision of the State of Oregon, shall be considered a party to this covenant and shall have the right, if it so desires, to enforce any or all of the covenant(s) contained herein by judicial or administrative proceeding. This covenant is made pursuant to the provisions of the Klamath County Land Development Code.

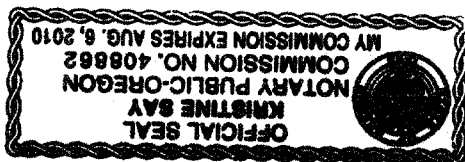
Dated this 12<sup>th</sup> day of April, 2007.

Steve Belden  
 Record Owner

\_\_\_\_\_  
 Record Owner

STATE OF OREGON     )  
                                   ) ss.  
 County of Klamath    )

Personally appeared the above names Belden, Steven Vance and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 12<sup>th</sup> day of April, 2007



Kristine Say  
 Notary Public for State of Oregon  
 My Commission Expires: 8-9-2010

**Note:** A copy of the recorded instrument must be returned to Community Development before permits can be issued.

THIS SPACE RESE

2007-001251

Klamath County, Oregon



MTCT8107TM

After recording return to:  
STEVEN V. BELDEN

PO Box 1095  
Keno, OR 97627

Until a change is requested all  
tax statements shall be sent to  
The following address:

STEVEN V. BELDEN  
PO Box 1095  
Keno, OR 97627

Escrow No.: MT78107-TM  
Title No.: 0078107

SWD



01/24/2007 11:33:53 AM

Fee: \$26.00

### STATUTORY WARRANTY DEED

STEVEN V. BELDEN and H.S. BELDEN, IV, as tenants in common, Grantor(s) hereby convey and warrant to STEVEN V. BELDEN, Grantee(s) the following described real property in the County of Klamath and State of Oregon free of encumbrances except as specifically set forth herein:

Lot 27, Block 1, TRACT 1983, CEDAR TRAILS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is \$0.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 19<sup>th</sup> day of January, 2007

STEVEN V. BELDEN  
  
H. S. BELDEN, IV

State of Oregon  
County of Klamath Deschutes

This instrument was acknowledged before me on January 19, 2007 by STEVEN V. BELDEN and H.S. BELDEN, IV, as tenants in common.

(Notary Public for Oregon)

My commission expires June 12, 2010



TOTAL P.002