

2007-007038

Klamath County, Oregon

After recording return to:

Marlene Farber
PO BOX 142
Bonanza, OR 97623



04/17/2007 10:55:47 AM

Fee: \$41.00

**RESTRICTIVE COVENANT
Conditional Use Permit**

The undersigned, being the record owners of all of the real property described as follows; PARCEL 1 OF LAND
PARTITION 30-06 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 09200 in Township 39 South, Range 11 East, Section 00000, the following restrictive covenant(s) hereafter bind the subject property:

"Declarant and Declarant's heirs, legal representatives, assigns, and lessees hereby recognize(s) the rights of adjacent and nearby landowners to conduct farm and forest operations consistent with accepted farming practices and Forest Practices Act, ORS 30.090 and Rules for uses authorized by this Code."

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.

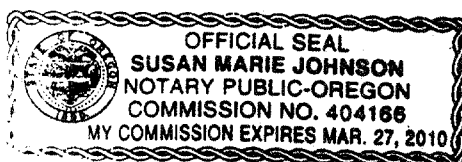
Dated this 12 day of April, 2007.

Marlene J. Farber
Record Owner

Brian P. Farber
Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Marlene J. Farber and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 12th day of April, 2007.



Susan Marie Johnson
Notary Public for State of Oregon
My Commission Expires: 3-27-2010

Note: A copy of the recorded instrument must be returned to Community Development before permits can be issued.
\\mady\cdd\shared\PLANNING\Planning Forms\Covenant-CUP.doc

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EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1 OF LAND PARTITION 30-06, BEING A
REPLAT OF PARCEL 3 OF MAJOR LAND
PARTITION 4-03 SITUATED IN SECTION 33,
TOWNSHIP 39 SOUTH, RANGE 11 EAST OF THE
WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON
AND THE N $\frac{1}{2}$ OF SECTION 4, TOWNSHIP 40
SOUTH, RANGE 12 EAST OF THE WILLAMETTE
MERIDIAN, KLAMATH COUNTY, OREGON,

W1/16
28/33

E1/16
28/33

EAST 2645

SEASONAL POND

SEASONAL POND

UNSURVEYED
PARCEL 1
160 ACRES ±

SOUTH
2653

CW1/16

2645 EAST

1313

1/4
33/34

CE1/16

UNSURVEYED
PARCEL 2
200 ACRES ±

N00°00'23"W 8016

SEASONAL STREAM

SOUTH
1214

1402
SOUTHEAST

S00°00'02"W
2656

SEASONAL POND

R11EWM

33 34

R12EWM

4 3

GOV.
LOT 3

GOV.
LOT 2

GOV.
LOT 1

UNSURVEYED
PARCEL 3
200 ACRES ±
864

SOUTH
1798

WEST 2640

N1/16
4/3

CN1/16

SOUTH
1388

CW1/16

1289
S89°16'58"W

C1/4

I, HER
ORIGINAL PL

Lin
KLAMA

I, HEREB
ORIGINAL PLAT

PHILLPOT LANE
60' WIDE INGRESS - EGRESS
AND PUBLIC UTILITIES EASEMENT
BY THIS PLAT/ SEE LINE TABLE

16 FOOT WIDE DRAINAGE EASEMENT
ALONG AN EXISTING SEASONAL STREAM
BY THIS PLAT/ SEE LINE TABLE

RIGHT OF WAY AGREEMENT IN FAVOR
OF PACIFIC GAS TRANSMISSION COMPANY
BY VOLUME M80, PAGE 8819

BEARINGS AND DISTANCES
FOR EASEMENTS
ALL BEARINGS & DISTANCES ALONG
CENTER OF EASEMENT

	BEARING	DISTANCE
①	S35°28'28"E	249.33
②	S21°58'28"E	109.56
③	S06°18'54"E	145.88
④	EAST	1000 ±
⑤	S06°30'12"E	183.50
⑥	S32°04'07"E	66.64
⑦	S11°41'42"E	397.19
⑧	S02°02'17"E	666.92
⑨	S29°36'25"W	262.97
⑩	S14°33'35"W	285.04
⑪	S06°07'47"E	165.05
⑫	S18°36'36"W	142.65
⑬	S00°04'26"W	184.05
⑭	S50°29'38"W	382.58
⑮	S02°29'00"E	400 ±

1-4 PERTAIN TO THE 60'
WIDE ACCESS AND PUBLIC
UTILITY EASEMENT

5-15 PERTAIN TO THE 16'
WIDE DRAINAGE EASEMENT

NOTE: GAS LINE EASEMENT
PAGE 228 AMENDED
PAGE 1381 LIES 3
70 FEET EASTERLY
CENTERLINE.

FILED
IN THE OFFICE OF THE KLAMATH
COUNTY SURVEYOR THIS 18 DAY
OF August 20 06

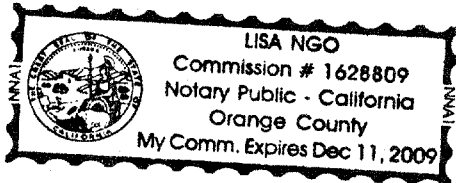
ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange } SS.

On April 13, 2007 before me, Lisa Ngo,
(DATE) (NOTARY)
personally appeared Brian P. Farber
SIGNER(S)

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

[Signature]
NOTARY'S SIGNATURE

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgment to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

- ☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

DESCRIPTION OF ATTACHED DOCUMENT

Restrictive Covenant
TITLE OR TYPE OF DOCUMENT

2
NUMBER OF PAGES

April 12, 2007
DATE OF DOCUMENT

OTHER

RIGHT THUMBPRINT
OF
SIGNER

