

Return to: Paula Lee

2007-007319

Klamath County, Oregon



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04/23/2007 10:50:31 AM

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; 16161 ALGOMA ROAD 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 00800 in Township 37 South, Range 09 East, Section 00600, 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.

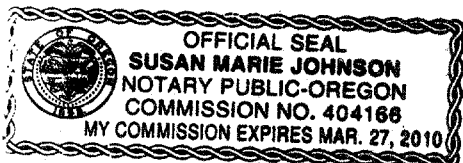
Dated this 23 day of 33 April, 2007.

Paul Lee
Record Owner

Lisa Schmidt
Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Lisa Schmidt & Paul Lee and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 23 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.

EXHIBIT A

A parcel of land situate in the SW 1/4 of the SE 1/4 of Section 6 and the NW 1/4 of the NE 1/4 of Section 7, Township 37 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at Brass Cap to corner of Section 6, 5, 7 and 8; thence South 2218.6 feet; thence West 934.1 feet to iron pin (Survey #1056); thence North 36 degrees 59' 30" West 421.9 feet to 1/2" iron pin; thence North 27 degrees 27' 07" West 917.7 feet to a 1/2" iron pin (Survey #1107); thence North 27 degrees 27' 07" West 164.2 feet to a point; thence North 36 degrees 42' 37" West 581.5 feet to a point; thence North 17 degrees 42' West 787.8 feet to 5/8" iron rebar which is the true point of beginning; thence Northerly along the Easterly right of way of Old Highway 97, which is now the County Road, a distance of 330.5 feet, more or less to a 5/8" iron rebar; thence North 85 degrees 59' East 82.1 feet to 5/8" iron rebar; thence South 18 degrees 07' 30" East 361.5 feet to a 5/8" iron rebar; thence North 87 degrees 37' 30" West 182.7 feet to the point of beginning.

CODE 183 MAP 3709-600 TL 800