

Returned @ _____

Tom Frayler



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05/21/2007 08:52:32 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; Klamath Falls Forest Estates Hwy 66 Plat # 2, Block 44, Lot 36 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 05600 in Township 38 South, Range 11 East, Section 00900, 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 15 day of MAY, 2007.

Record Owner

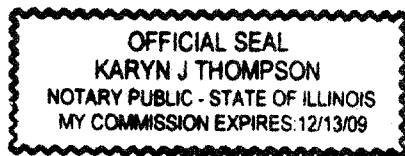
[Signature]

Record Owner

[Signature]

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Glen + Susan Eby and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 15th day of May, 2007.



[Signature]
Notary Public for State of ~~Oregon~~ ILLINOIS
My Commission Expires: 12/13/09

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

EXHIBIT A

"legal description"

LOT 36 IN BLOCK 44 OF KLAMATH FALLS FOREST
ESTATES, HIGHWAY 66 UNIT, PLAT NO. 2,
MAP 3811-00900-05600-000