

2007-010346

Klamath County, Oregon



06/08/2007 01:20:19 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; CALVIN & NANCY LANFEAR 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 600 in Township 34 South, Range 08 East, Section 28A, 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 8 day of JUNE, 2007.

Calvin Lanfear  
Record Owner

Nancy J. Miles Lanfear  
Record Owner

STATE OF OREGON )  
County of Klamath ) ss.

Personally appeared the above names Calvin Lanfear and Nancy J. Miles Lanfear and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 8th day of June, 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

(attach copy of legal description)

Lot 34 Block 1 Spagoe River Pines  
T 34 S Range 28 Tax Acc R-30<sup>4</sup>8-28A-600