

Returned @ County



06/19/2007 02:10:15 PM

Fee: \$26.00

DANNY MAYS  
TENA MAYS  
9388 SPOONBILL DR  
DONAWZA, OR 97623

**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; Lot 8 Block 9 KFE  
HWY 66 PLAT # 2 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 01300 in Township 38 South, Range 11 East, Section 005A0, 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.

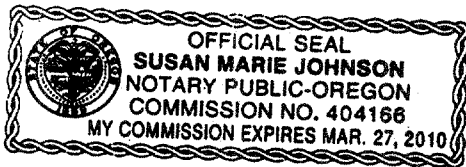
Dated this 19 day of JUNE 19, 2007.

Danny Mays  
Record Owner

Tena Mays  
Record Owner

STATE OF OREGON )  
County of Klamath ) ss.

Personally appeared the above names Danny Mays and Tena Mays and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 19 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.

26

05 APR 20 PM 0:10

mtc-69300TM



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:  
DANNY MAYS  
3900 Hilyard #801  
Klamath Falls, OR 97603

State of Oregon, County of Klamath  
Recorded 04/28/2005 3:10 P m  
Vol M05 Pg 30309  
Linda Smith, County Clerk  
Fee \$ 21.00 # of Pgs 1

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

DANNY MAYS  
3900 Hilyard #801  
Klamath Falls, OR 97603

Escrow No. MT69300-TM

**STATUTORY WARRANTY DEED**

**HERBERT R. BATY**, Grantor(s) hereby convey and warrant to **DANNY MAYS and TENA MAYS**, as tenants by the entirety, 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 8 in Block 29 of **KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, PLAT NO. 2** according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Tax Account No: 3811-005A0-01300-000 Key No: 461547

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 **\$15,000.00**.

THIS INSTRUMENT WILL 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.

Dated this 15 day of 4, 05.

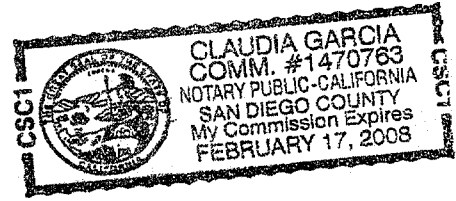
X HERBERT R. BATY 4-27-05

STATE OF CALIFORNIA  
COUNTY OF San Diego

On April 27, 2005 before me, Claudia Garcia personally appeared **HERBERT R. BATY** 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 executed the same in his authorized capacity(ies), and that by his 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 Claudia Garcia



2/10 AM