

2007-011955

Klamath County, Oregon



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07/03/2007 10:36:52 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; R-3910-01000-00600 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 39 South, Range 10 East, Section 10, 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 27th day of June, 2007.

Lia Barney
 Record Owner

 Record Owner

STATE OF OREGON)
) ss.
 County of Klamath)

Personally appeared the above names Lia Barney and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 27th 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.

Returned @ Counter

26- True Line

EXHIBIT "A"
LEGAL DESCRIPTION

That portion of the NW1/4 of the NW1/4 of Section 10, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the Southwest corner of said NW1/4 of NW1/4, thence North 0° 08' West along the West line of said NW1/4 NW1/4 333.94 feet; thence South 89° 30' 57" East 1292.43 feet to the East line of said NW1/4 of NW1/4; thence South 00° 10' 53" East 333.80 feet to the Southeast corner of said NW1/4 of NW1/4; thence North 89° 31' 22" West 1294.26 feet to the point of beginning.

Tax Account No: 3910-01000-00600-000
Tax Account No: 3910-01000-00600-000

Key No: 580810
Key No: 595939