



08/06/2007 03:23:22 PM

Fee: \$31.00

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 Plot 3 Block 70 Lot 11 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 01600 in Township 38S South, Range 11 East, Section 01030 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.

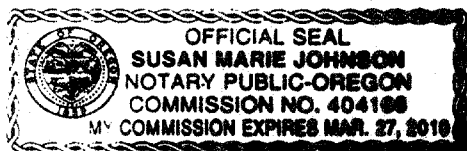
Dated this 21 day of July, 2007.

[Signature]
Record Owner

Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Tom Martin Jr. and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 31st day of July, 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.

31 Tom Martin Returned @ Counter



After recording return to:
KARDINYA Inc.
22785 N Poe Valley Rd
Klamath Falls, OR 97603

Until a change is requested all tax statements
shall be sent to the following address:
KARDINYA Inc.
22785 N Poe Valley Rd
Klamath Falls, OR 97603

File No.: 7021-831788 (DMC)
Date: June 06, 2006

M06-11948

Klamath County, Oregon

06/12/2006 12:06:26 PM

Pages 2 Fee: \$26.00

STATUTORY WARRANTY DEED

Donna Lee Howell, Grantor, conveys and warrants to **KARDINYA Inc.**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LOT 11 IN BLOCK 70 OF KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT PLAT NO. 3, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

This property is free from liens and encumbrances, EXCEPT:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$30,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES 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 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

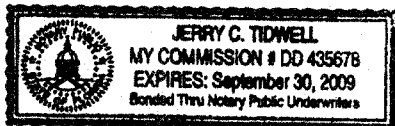
26-F

Dated this 7th day of June, 2006.

Donna Lee Howell
Donna Lee Howell

STATE OF Florida)
County of FLUORUA)ss.
)

This instrument was acknowledged before me on this 7 day of June, 2006
by **Donna Lee Howell**.



Jerry C. Tidwell
Notary Public for Florida **Jerry C. Tidwell**
My commission expires: 9-30-2009