

2007-015741

Klamath County, Oregon



09/06/2007 01:41:51 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: Lot 152 of Block 31 of Party Addition to N.M.C. River Park 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 01000 in Township 36 South, Range 11 East, Section 007A0, 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 6 day of September, 2007.

Bill R. Owens  
 Record Owner

Martha J. Owen  
 Record Owner

STATE OF OREGON )  
 County of Klamath ) ss.  
 )

Personally appeared the above names BILL ROGER OWENS AND MARTHA JEAN OWENS and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 6 day of Sept, 2007.



Susie Costic  
 Notary Public for State of Oregon  
 My Commission Expires:

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



WTC-66759-TM

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State of Oregon, County of Klamath  
 Recorded 09/27/04 3:05 P.M.  
 Vol M04 Pg 64707  
 Linda Smith, County Clerk  
 Fee \$ 2100 # of Pgs 1

After recording return to:  
 BILL OWENS

Po Box 275  
Sprague River, OR 97639

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

BILL OWENS  
Po Box 275  
Sprague River, OR 97639

Escrow No. MT66759-TM

### STATUTORY WARRANTY DEED

**MILDRED L. SHULER**, Grantor(s) hereby convey and warrant to **BILL OWENS and MARTHA OWENS**, 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 152 of Block 31 of FOURTH ADDITION TO NIMROD RIVER PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.**

Tax Account No: 3611-008A0-01000-000

Key No: 346496

### LOT 152, BLOCK 31

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 \$7,500.00.

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 FEED 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 29 day of September 2004

Mildred L. Shuler  
 MILDRED L. SHULER

State of Oregon  
 County of KLAMATH

This instrument was acknowledged before me on Sept 23, 2004 by **MILDRED L. SHULER**.

Sandra Greenfield  
 (Notary Public for Oregon)

My commission expires 8/18/08



*2100*