



00031985200700167320020024

09/24/2007 11:51:25 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: LOT 2 IN BLOCK 78 EIGHTH ADDITION  
TO NIMROD 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 6300 in Township 36 South, Range 11 East, Section 00830, 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 24 day of SEPT., 2007.

Record Owner

Record Owner

STATE OF OREGON     )  
                                  ) ss.  
County of Klamath     )

Personally appeared the above names Gerald max Wolgast and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 24 day of September, 2007



Notary Public for State of Oregon  
My Commission Expires: Aug. 6, 2010

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

04 DEC 16 PM 3:25

mtc-67618 MS



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State of Oregon, County of Klamath  
Recorded 12/16/04 3:25 p m  
Vol M04 Pg 86215  
Linda Smith, County Clerk  
Fee \$ 21.00 # of Pgs 1

THIS SPACE

After recording return to:

Jerry Wolgast

P O Box 3065

Central Point, OR 97502

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

Jerry Wolgast

P O Box 3065

Central Point, OR 97502

Escrow No. MT67618-MS

### STATUTORY WARRANTY DEED

Nelda M. Keith, Grantor(s) hereby convey and warrant to Jerry Wolgast, 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 2 in Block 78 of EIGHTH 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: 3611-008B0-06300-000

Key No: 347501

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 **\$11,500.00**.

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 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 13 day of 12, 04

  
Nelda M. Keith

State of Oregon  
County of Jackson

This instrument was acknowledged before me on December 13, 2004 by Nelda M. Keith.

  
(Notary Public for Oregon)

My commission expires 1/18/05



2100  
am