

2007-017644

Klamath County, Oregon

After recording return to:

Lori Batterman
82464 Hillview Dr.
Creswell, OR 97426



10/11/2007 08:50:39 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; T35S, R14E, S 01800
Tax lot 2300 + 2400 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 2300 + 2400 in Township 35 South, Range 14 East, Section 01800, 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.

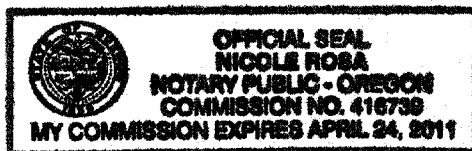
Dated this 5th day of October, 2007.

Thomas A. Batterman
Record Owner

Lori E. Batterman
Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Thomas Batterman + Lori Batterman and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 5th day of October, 2007.



Nicole Rosa
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.

EXHIBIT A

Lots 21 and 22, Block 8, Tract No. 1161, HIGH COUNTRY RANCH, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

CODE 008 MAP 3514-01800 TL 02300 KEY #117171

CODE 008 MAP 3514-01800 TL 02400 KEY #117199