

2007-017939  
Klamath County, Oregon



00033425200700179390020028

10/17/2007 09:21:03 AM

Fee: \$26.00

2007-017938  
Klamath County, Oregon



00033424200700179380010014

10/17/2007 08:59:01 AM

Fee: \$21.00

Page \_\_\_\_ of \_\_\_\_

After recording return to:

Don Purio  
3245 Homedale Rd.  
Klamath Falls, OR 97603

**RESTRICTIVE COVENANT**  
**Conditional Use Permit**

Re-record to correct legal description on 2007-017938

The undersigned, being the record owners of all of the real property described as follows: Parcel 1 + Parcel 2  
Tract POR E2E2 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 2009 2100 in Township 39 South, Range 10 East, Section 007A, the following restrictive covenant(s) hereafter bind the subject property:

"Declarant and Declarant's heirs, legal representatives, assigns, and lessees hereby recognize(s) the rights of adjacent and nearby landowners to conduct farm and forest operations consistent with accepted farming practices and Forest Practices Act, ORS 30.090 and Rules for uses authorized by this Code."

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.

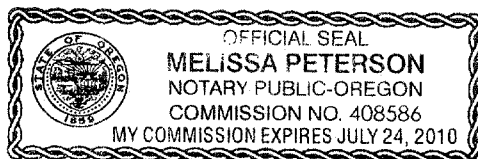
KLAMATH COUNTY, a political subdivision of the State of Oregon, shall be considered a party to this covenant and shall have the right, if it so desires, to enforce any or all of the covenant(s) contained herein by judicial or administrative proceeding. This covenant is made pursuant to the provisions of the Klamath County Land Development Code.

Dated this 11<sup>th</sup> day of October, 2007.

Evert Brown  
Record Owner

Record Owner

STATE OF OREGON )  
County of Klamath ) ss.



Personally appeared the above names Evert Brown and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 11<sup>th</sup> day of October, 2007.

Melissa Peterson  
Notary Public for State of Oregon  
My Commission Expires: July 24, 2010

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

### LEGAL DESCRIPTION:

PARCEL 1: A TRACT OF LAND SITUATED IN THE SE $\frac{1}{4}$ NE $\frac{1}{4}$  OF SECTION 7, T39S, R10EWM, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT MARKED BY A 5/8-INCH IRON PIN ON THE EASTERLY RIGHT OF WAY LINE OF BOOTH ROAD, SAID POINT BEING S89°53'08"E (N89°54'E BY RECORDED PLAT OF JUNCTION ACRES) 1360.71 FEET AND N00°10'47"E (N00°04'E BY SAID JUNCTION ACRES) 484.00 FEET FROM THE C $\frac{1}{4}$  CORNER OF SAID SECTION 7, AS ESTABLISHED BY SURVEY NO. 759, AS RECORDED IN THE OFFICE OF THE KLAMATH COUNTY SURVEYOR; THENCE N00°10'47"E, ALONG SAID EASTERLY RIGHT OF WAY LINE, 323.95 FEET TO ITS INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 140; THENCE S70°59'35"E, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE HIGHWAY, 507.13 FEET; THENCE S00°10'47"W, PARALLEL WITH THE EASTERLY RIGHT OF WAY LINE OF SAID BOOTH ROAD, 160.29 FEET; THENCE N89°49'13"W 480.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.67 ACRES, MORE OR LESS, WITH BEARINGS BASED ON SURVEY NO. 2026, AS RECORDED IN THE OFFICE OF THE KLAMATH COUNTY SURVEYOR, SAID TRACT OF LAND SUBJECT TO ALL EASEMENTS AND RIGHT OF WAY OF RECORD OR APPARENT.

PARCEL 2: A TRACT OF LAND SITUATED IN THE SE $\frac{1}{4}$ NE $\frac{1}{4}$  OF SECTION 7, T39S, R10EWM, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT MARKED BY A 5/8-INCH IRON PIN ON THE EASTERLY RIGHT OF WAY LINE OF BOOTH ROAD, SAID POINT BEING S89°53'08"E (N89°54'E BY RECORDED PLAT OF JUNCTION ACRES) 1360.71 FEET AND N00°10'47"E (N00°04'E BY SAID JUNCTION ACRES) 257.00 FEET FROM THE C $\frac{1}{4}$  CORNER OF SAID SECTION 7, AS ESTABLISHED BY SURVEY NO. 759, AS RECORDED IN THE OFFICE OF THE KLAMATH COUNTY SURVEYOR; THENCE N00°10'47"E, ALONG SAID EASTERLY RIGHT OF WAY LINE, 227.00 FEET; THENCE S89°49'13"E 480.00 FEET; THENCE S00°10'47"W, PARALLEL WITH THE SAID EASTERLY RIGHT OF WAY LINE, 227.00 FEET; THENCE N89°49'13"W 480.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.50 ACRES, WITH BEARINGS BASED ON SURVEY NO. 2026, AS RECORDED IN THE OFFICE OF THE KLAMATH COUNTY SURVEYOR, SAID TRACT OF LAND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR APPARENT.