



THIS SPACE RES

2007-020018
Klamath County, Oregon



11/28/2007 11:26:24 AM

Fee: \$26.00

MT80486-MS

After recording return to:

Donald Lee Hodge, Jr.

7508 Locke Rd

Vacaville, CA 95688

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

Donald Lee Hodge, Jr.

7508 Locke Rd

Vacaville, CA 95688

Escrow No. MT80486-MS

Title No. 0080486

SWD

STATUTORY WARRANTY DEED

Gayle A. Drake, Grantor(s) hereby convey and warrant to **Donald Lee Hodge, Jr. and Venessa Linnartz Hodge, 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 6 of TRACT 1242 – PLUM VALLEY, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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 **\$175,000.00**.

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.

Dated this 21st day of November, 2007.

Gayle A. Drake
Gayle A. Drake

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on Nov. 21, 2007 by Gayle A. Drake.



Kristi L. Redd
(Notary Public for Oregon)

My commission expires 11/16/2011

26AMT

CONCLUSION

The Applicants request for a forest dwelling on 11.58 acres of land zoned FR (more particularly described as Tax Map Number R-3709-2800-801) is deemed appropriate for development as related to land use. Other review may be required to meet building, public works, and other agency regulations and requirements.

Based on review of the subject application and additional evidence submitted to the record, staff recommends the Hearings Officer APPROVE the Applicants request, subject to Federal and State law, rules, or policy; Klamath County Land Development Code and County Ordinances; Oregon Fire Codes and Appendices; Oregon Building Codes and Appendices; Klamath County Public Works standards, policies and procedures; and additional conditions of approval described as follows:

1. Prior to commencement of any construction, the owner shall record a restrictive covenant with the deed recognizing the rights of adjacent and nearby land owners to conduct farm and forest operations consistent with accepted farm practices and the Oregon Forest Practices Act. Evidence of recordation of said covenant shall be submitted to the Planning Department prior to authorization of development by the Planning Department.
2. Fencing on the perimeter of the property shall only be for livestock control purposes; fencing around home sites shall enclose no greater than 1 acre, and where designed to exclude wildlife shall not be placed within critical habitat or a migration corridor as may be identified by the Oregon Department of Fish and Wildlife.
3. Demonstrate compliance with all applicable standards of the Klamath County Land Development Code, including those of Chapters 60 (Planning Development Standards) and 70 (Public Works Development Standards). Compliance shall include showing proof of compliance with the provisions of Article 69 Rural/Wildland Fire Safety Standards, including recordation of Klamath County's Fire Safety Siting Covenant.
4. Prior to commencement of any construction, the owner shall record a restrictive covenant with the deed agreeing to control free-roaming dogs and off-road vehicle use during the period of November through April. Evidence of recordation of said covenant shall be submitted to the Planning Department prior to authorization of development by the Planning Department.
5. Prior to application for building permits, obtain permits from Klamath County On-Site Sanitation for the septic system and any permits required for an on-site well from the State Watermaster's office.
6. Any proposed changes in the homesite location shall be subject to further review by ODFW.
7. This Conditional Use Permit shall be void after 4 years if development has not been initiated through a building or on-site septic installation permit issued in reliance on this approval. If the building or sanitation permit expires prior to actual site development, this CUP may also be declared void.
8. This Conditional Use Permit will be limited to one (1) two-year time extension.