

FROM :

FAX NO. :5412735726

Mar. 12 2008 09:11AM P1

Janice Holland

Page ____ of ____

After recording return to:

DAN & NANCY KNIFFEL

6950 WIDGEON DR.

ROMANZA, OR. 97623

(P.O. Box 173)

2008-004531

Klamath County, Oregon



00043180200800045310030038

03/28/2008 11:10:09 AM

Fee: \$31.00

RESTRICTIVE COVENANT
Discretionary Land Use Permit – Big Game Winter Range

① The undersigned, being the record owners of all of the real property described as follows: 3811-009CD-06100-000 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.

② 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 06100 in Township 38 South, Range 11 East Section 009CD 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.

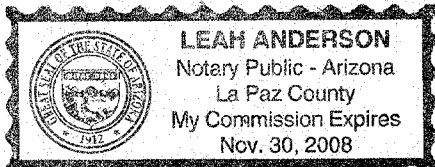
Dated this 12 day of March, 2008

③ *Daniel G. Kniffel*
Record Owner

③ *Nancy A. Kniffel*
Record Owner

④ ARIZONA
STATE OF OREGON)
LA PAZ) ss.
County of Klamath)

Personally appeared the above names DANIEL G. KNIFFEL & NANCY A. KNIFFEL and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 12 day of MARCH, 2008.



Leah Anderson
Notary Public for State of Oregon ARIZONA
My Commission Expires: NOVEMBER 30, 2008

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

F:\shared\PLANNING\Planning Forms\CLUP - Owner Consent of Dogs.doc

EXHIBIT A

(attach copy of legal description)

MTK-60816 LW

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THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

NANCY A. KNIEFEL

15 COBBLESTONE CRT

NAPA, CA 94558

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

NANCY A. KNIEFEL

15 COBBLESTONE CRT

NAPA, CA 94558

Escrow No. MT60816-LW

State of Oregon, County of Klamath

Recorded 05/23/2003 11:05 A.M.

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Linda Smith, County Clerk

Fee \$ 21 # of Pgs 1

WARRANTY DEED

JACK R. MEZA and DARLENE C. MEZA, as tenants by the entirety, Grantor(s) hereby grant, bargain, sell, warrant and convey to:
NANCY A. KNIEFEL and DANIEL G. KNIEFEL, as tenants by the entirety, Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of KLAMATH and State of Oregon, to wit:

Lot 2 in Block 44 of KLAMATH FALLS FOREST ESTATES, HIGHWAY 66, UNIT PLAT NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

KEY #463778

3811-009CO-06100-000

SUBJECT TO: all those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any:

and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomever, except those claiming under the above described encumbrances.

The true and actual consideration for this conveyance is \$103,500.00.

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 20 day of May, 2003

JACK R. MEZA

DARLENE C. MEZA

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on May 20, 2003 by JACK R. MEZA and DARLENE C. MEZA.

Lisa Weatherby
(Notary Public for Oregon)

My commission expires 11/20/2003

