

2008-007887

Klamath County, Oregon



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05/30/2008 10:01:35 AM

Fee: \$26.00

Page ____ of ____

After recording return to:

RICHARD B BELL
P.O. Box 1367
CHILDAVIN, OR 97624

**RESTRICTIVE COVENANT
BIG GAME WINTER RANGE**

The undersigned, being the record owners of all of the real property described as follows; T34S, R09 E1W1M SEC 8, 19, 20 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 0020 in Township 34 South, Range 09 East, Section 20, 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; and in regard to fencing requires the perimeter of the property, if fenced, to be for livestock control purposes only; that 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"

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.

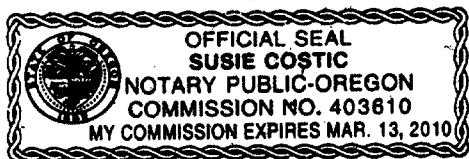
Dated this 30 day of MAY, 2008.

Richard B Bell
Record Owner

Richard B Bell
Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names RICHARD B. BELL and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 30 day of May, 2008
By Susie Costic



Susie Costic
Notary Public for State of Oregon
My Commission Expires: 3/13/2010

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

LEGAL DESCRIPTION
EXHIBIT "A"

Township 34 South, Range 9 East of the Willamette Meridian

Section 18: E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

Klamath County,
Oregon

Section 19: E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and All of the SE $\frac{1}{4}$ lying North of the Thread of Sprague River

and

Parcel 1 of Land Partition 52-07 located in the NW1/4 and SW1/4 of
Section 20 Township 34 Range 9 East of the Willamette Meridian,
Klamath County, Oregon.