

2008-008559

Klamath County, Oregon

After recording return to:

Dan Hickey
91667 Hwy 50
Merrill OR 97632



00047884200800085590020028

06/12/2008 12:21:36 PM

Fee: \$26.00

RESTRICTIVE COVENANT Conditional Use Permit

The undersigned, being the record owners of all of the real property described as follows: See Exhibit A 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 2000 in Township 41 South, Range 14 East, Section 4, 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 12 day of June, 2008.

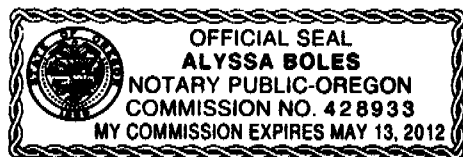
Daniel F Hickey
 Record Owner

 Record Owner

STATE OF OREGON)
) ss.
 County of Klamath)

Personally appeared the above names Daniel Hickey and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 12 day of June, 2008.

By Alyssa Boles



Alyssa Boles
 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.
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EXHIBIT A
LEGAL DESCRIPTION

The Southeast One-Quarter of the Southeast One-Quarter of Section 4, Township 41 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon, EXCEPTING THEREFROM that portion lying within the right-of-way of the D Canal/Highway 39 and Pope Road; TOGETHER WITH that portion of the Northeast One-Quarter of the Northeast One-Quarter of Section 9, Township 41 South, Range 11 East of the Willamette Meridian, which lies Northeasterly of State Highway 39, EXCEPTING THEREFROM that portion lying within the right-of-way of the D Canal.