

2008-010023

Klamath County, Oregon

After recording return to:

RALPH M. SHAINA

00049639200800100230020025

**RESTRICTIVE COVENANT
BIG GAME WINTER RANGE**

07/11/2008 01:38:45 PM

Fee: \$26.00

The undersigned, being the record owners of all of the real property described as follows; RALPH M. SHAINA
ELSIE M. SHAINA 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 302 in Township 39 South, Range 10 East, Section 103C, 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 11 day of July, 2008.

Ralph M. Shaina
Record Owner

Elsie M. Shaina
Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Ralph and Elsie Shaina and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 11 day of July, 2008

By Mary E Bunch

Mary E Bunch
Notary Public for State of Oregon
My Commission Expires: May 13, 2012

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

2006-022492

Klamath County, Oregon

After recording return to:
Steven P. Allen, PC
808B N.W. Buchanan
Corvallis, Or 97330



11/09/2006 03:31:28 PM

Fee: \$21.00

Send tax statements to:
Ralph Shaima 3634 Chokeycherry Court
Klamath Falls, Or 97603

Grantor: R. Thomas Graham and Brenda Lee Graham, tenants by the entirety
Grantee: Ralph M. Shaima and Elsie Marie Shaima, as tenants by the entirety
Consideration: \$205,000

WARRANTY DEED

R. Thomas Graham and Brenda Lee Graham, "Grantors," convey and warrant to Ralph M. Shaima and Elsie Marie Shaima, as tenants by the entirety, "Grantees," the following real property, free of encumbrances except as specifically set forth herein:

Parcel 2 of Land Partition 1-98, being of Parcel 1 of Land Partition 42-95, situated in the SW 1/4 NW 1/4 of Section 10, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

Subject to statutory powers of taxing districts Klamath Lake Grazing Fire Patrol, Pine Grove Water District, Pine Grove Highlands Road District; public streets; Land Partition 42-95 and 1-98 covenants conditions and restrictions of record; utility easements of record; access easements of record; Agreement recorded March 15, 1995 of record; Variance terms recorded July 22, 1998; and Manufactured Structure DMV titling exemption recorded February 26, 1999.

The true consideration for this conveyance is \$205,000.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON-S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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 ANY FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 9th day of November, 2006

Grantors:

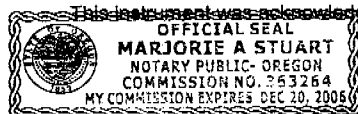
R. Thomas Graham

Brenda Lee Graham

STATE OF OREGON)

COUNTY OF KLAMATH)

ss.



This instrument was acknowledged before me on the 9th day of November, 2006 by R. Thomas Graham and Brenda Lee Graham

Notary Public for Oregon

My commission expires: 12/20/06