

2008-011496

Klamath County, Oregon



08/13/2008 10:49:35 AM

Fee: \$31.00

# **RESTRICTIVE COVENANT BIG GAME WINTER RANGE**

After recording return to:

3 Frank Richgask  
 1541 Vine St  
 Belmont CA 94002

The undersigned, being the record owners of all of the real property described as follows; 14915 SPRING  
River Rd Chiloquin OR 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 1200 in Township 35 South, Range 9 East,  
 Section 11, 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<sup>th</sup> day of August, 2008.

Record Owner

Record Owner

STATE OF OREGON )  
 County of Klamath )

PLEASE SEE ATTACHED  
 ACKNOWLEDGEMENT/JURAT  
 FROM NOTARY PUBLIC

Personally appeared the above names \_\_\_\_\_ and acknowledged the  
 foregoing instrument to be his/her voluntary act and deed before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
 By \_\_\_\_\_

Notary Public for State of Oregon  
 My Commission Expires:

31-  
**Note:** A copy of the recorded instrument must be returned to Community Development before permits can be issued.

EXHIBIT A

(attach copy of legal description)

That portion of the East half of  
the West half of the Southeast quarter  
of Section 11. Township 35 South, Range  
9 East, Willamette Meridian, lying  
northeasterly of the northerly right  
of way line of the Sprague River  
Highway.

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Mateo

On August 4, 2008 before me, Shital Patel, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Frank W. Richnak  
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal Above

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Restrictive Covenant Big Game Winter Range  
Document Date: 08.04.08 Number of Pages: 2

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

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OF SIGNER  
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