

2008-011786

Klamath County, Oregon



00051820200800117860020021

08/20/2008 08:59:49 AM

Fee: \$26.00

Page \_\_\_\_ of \_\_\_\_

Returned to Counter

After recording return to:

Denise Stopnick  
283A Georgia St  
Medford Or 97501

## RESTRICTIVE COVENANT ARTICLE 57 RESIDENTIAL DEVELOPMENT STANDARDS

The undersigned, being the record owners of all of the real property described as follows; Attached 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 2100 in Township 35 South, Range 13 East, Section 31, 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 20 day of August, 2008

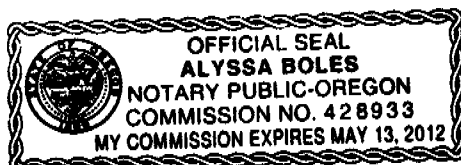
Denise Stopnick  
 Record Owner

\_\_\_\_\_  
 Record Owner

STATE OF OREGON    )  
                               ) ss.  
 County of Klamath    )

Personally appeared the above names Denise Stopnick and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 20 day of August, 2008.

By Alyssa Boles



Alyssa Boles  
 Notary Public for State of Oregon  
 My Commission Expires: 5-13-2012

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

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FA

NO PART OF ANY STEVENS NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



Rudy VELIK JR

PO 214

BEATTY, OR 97621

Grantor's Name and Address

DENISE STOPNICK

2834 GEORGIA ST

MERFORD, OR 97501

Grantee's Name and Address

After recording, return to (Name, Address, Zip):

DENISE STOPNICK

Until requested otherwise, send all tax statements to (Name, Address, Zip):

DENISE STOPNICK

2834 GEORGIA ST

MERFORD, OR 97501

M06-01017

Klamath County, Oregon

01/18/2006 12:01:08 PM

Pages 1 Fee: \$21.00

M06-11839

Klamath County, Oregon

06/12/2006 09:03:55 AM

Pages 1 Fee: \$21.00

## BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that RUDY VELIK JR.

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto

DENISE STOPNICKhereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in KLAMATH County, State of Oregon, described as follows, to-wit:TWP 35, RANGE 13, BLOCK SEC 31,  
TRACT SE 4 GOVT LOT 4

MAP: R-3513-03100-02100-000

The SE 1/4 of the SW 1/4 of the SW 1/4 of Section 31,  
Township 35 South, Range 13 East of The Willamette  
Meridian, Klamath County, Oregon

re-recording to add the legal description

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 6,000.00. However, the actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☐ the whole (indicate which) consideration. (The sentence between the symbols "or", if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on 1-18-06; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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.

STATE OF OREGON, County of Klamath ss.This instrument was acknowledged before me on Jan 18, 2006by RUDY VELIK JR.

This instrument was acknowledged before me on

by

as

of



Notary Public for Oregon

My commission expires Nov 29, 2008