

2009-003343

Klamath County, Oregon

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

After recording return to:

LENA JOYCE CEROTSKY  
29417 Woodchuck Lane  
Bonanza, OR 97623



00062069200900033430020027

03/09/2009 11:05:05 AM

Fee: \$26.00

# RESTRICTIVE COVENANT BIG GAME WINTER RANGE

The undersigned, being the record owners of all of the real property described as follows; KLAMATH FALLS FOREST ESTATES  
HWY 66 RAMP 2 BLK 28 LOT 19 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 a  
 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 proper  
 designated by the Klamath County Assessor's Office as Tax Lot 100 in Township 38S South, Range 11 East  
 Section 05, 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. The  
 covenant is made pursuant to the provisions of the Klamath County Land Development Code.

Dated this 9 day of MARCH, 2009.

Record Owner

Record Owner

STATE OF OREGON )

) ss.

County of Klamath )

Personally appeared the above names Garret Frank Cerotsky + Lena Joyce Cerotsky and acknowledged the  
 foregoing instrument to be his/her voluntary act and deed before me this 9<sup>th</sup> day of March, 2008.

By \_\_\_\_\_



Lisa Kessler  
 Notary Public for State of Oregon  
 My Commission Expires: Mar. 13, 2011

26.

04 DEC 2 PM 2:53

MT67608 KR



Vol M04 Page 82950

State of Oregon, County of Klamath  
Recorded 12/02/04 2:53 p m  
Vol M04 Pg 82950  
Linda Smith, County Clerk  
Fee \$ 21.00 # of Pgs 1

THIS SPACE RESERVE

After recording return to:

Garret F. Cerotsky

7403 SE Augusta Lane

Hillsboro, OR 97123

Until a change is requested all

tax statements shall be sent to

The following address:

Garret F. Cerotsky

7403 SE Augusta Lane

Hillsboro, OR 97123

Escrow No.

MT67608-KR

### STATUTORY WARRANTY DEED

Vincent J. Osle, Trustor and Trustee of The Osle Living Trust, Dated September 22, 1993, Grantor(s) hereby convey and warrant to Garret F. Cerotsky and Lena Joyce Cerotsky, as tenants by the entirety, Grantee(s) the following described real property in the County of KLAMATH and State of Oregon, free of encumbrances except as specifically set forth herein:

Lot 19, Block 28, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT PLAT NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Tax Account No: 3811-005A0-00100-000

Key No: 461422

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is \$18,500.00.

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.

Dated this 30<sup>th</sup> day of Nov-2004.

The Osle Living Trust, Dated September 22, 1993

BY: Vincent J. Osle, Trustor & Trustee  
Vincent J. Osle, Trustor and Trustee

STATE OF CALIFORNIA

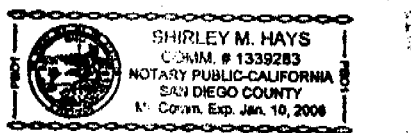
ss.  
COUNTY OF San Diego

On 11-30-04, 2004 before me, Shirley M. Hays personally appeared Vincent J. Osle, Trustor and Trustee of The Osle Living Trust, Dated September 22, 1993 personally known to me (or 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 executed the same in authorized capacity(ies), and that by signatures(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Shirley M. Hays



2/00  
am