

After recording return to:

Tara Jacobson



00067359200900078940040047

06/08/2009 02:59:20 PM

Fee: \$36.00

# RESTRICTIVE COVENANT Conditional Use Permit

The undersigned, being the record owners of all of the real property described as follows; B3511-VD200-00100  
dwelling 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 \_\_\_\_\_ in Township 38 South, Range 11 1/2 East, Section \_\_\_\_\_, 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.

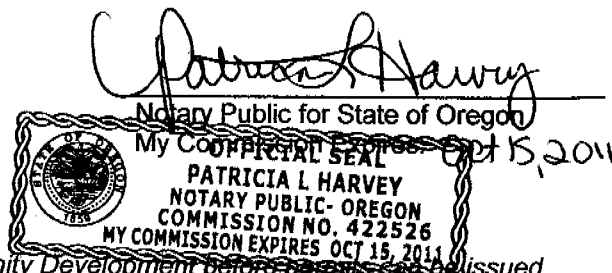
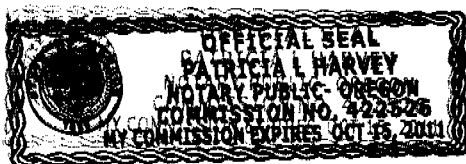
Dated this 1 day of June, 2009.

Record Owner

Record Owner

STATE OF OREGON )  
 ) ss.  
County of Klamath )

Personally appeared the above names David Earl Jacobson and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 1st day of June, 2009



**Note:** A copy of the recorded instrument must be returned to Community Development before permit can be issued.  
\\mady\cdd\shared\PLANNING\Planning Forms\Covenant-CUP.doc

2009-002899  
Klamath County, Oregon



00061536200900028990020026

THIS SPACE

02/25/2009 03:12:59 PM

Fee: \$26.00



After recording return to:  
David Jacobson and Tara Jacobson  
1805 SE 2nd Avenue  
Albany, OR 97321

Until a change is requested all tax statements  
shall be sent to the following address:  
David Jacobson and Tara Jacobson  
1805 SE 2nd Avenue  
Albany, OR 97321

File No.: 7021-1230026 (DMC)  
Date: July 17, 2008

### STATUTORY WARRANTY DEED

**Robert S. Johnson**, Grantor, conveys and warrants to **David Jacobson and Tara Jacobson as tenants by the entirety**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

**PARCEL 1 OF LAND PARTITION 33-08 SITUATED IN THE NE 1/4 OF SECTION 2, TOWNSHIP 38 SOUTH, RANGE 11 1/2 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON**

**Subject to:**

1. Fiscal year real property taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$120,000.00**. (Here comply with requirements of ORS 93.030)

F24

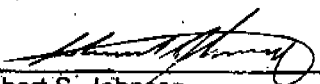
APN: R482935

Statutory Warranty Deed  
- continued

File No.: 7021-1230025 (DMC)  
Date: 07/17/2008

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195-336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195-336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007.

Dated this 13<sup>th</sup> day of February, 2009.

  
Robert S. Johnson

STATE OF Oregon )

County of Jackson ) ss.

This instrument was acknowledged before me on this 13<sup>th</sup> day of February, 2009,  
by **Robert S. Johnson**.



  
Notary Public for Oregon

My commission expires: 6-28-12

Dated this 8th day of June, 2009.

Record Owner

Record Owner

STATE OF OREGON )  
County of Klamath ) ss.

Personally appeared the above names Tara Melinda Jacobson and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 8th day of June, 2009.

By Patricia L Harvey



Patricia L Harvey  
Notary Public for State of Oregon  
My Commission Expires: OCT 15, 2011