

2009-009451

Klamath County, Oregon

After recording return to:

DALE MARSLAND  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



00069242200900094510020027

07/10/2009 11:34:54 AM

Fee: \$26.00

### RESTRICTIVE COVENANT Conditional Use Permit

The undersigned, being the record owners of all of the real property described as follows; R-3911-00000-09201 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 9201 in Township 39 South, Range 11 East, Section 33, 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 10 day of July, 2009.

Dale A Marsland  
Record Owner

Lavonne J Marsland  
Record Owner

STATE OF OREGON )  
 ) ss.  
 County of Klamath )

Personally appeared the above names Dale A Marsland + Lavonne J Marsland and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 10th day of July, 2009

By Patricia L Harvey



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

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

21-



MTC80037-MS

After recording return to:

Dale A. Marsland

12449 14th Ave. S

Seattle, WA 98168

Until a change is requested all  
tax statements shall be sent to  
The following address:

Dale A. Marsland

12449 14th Ave. S

Seattle, WA 98168

Escrow No. MT80037-MS

Title No. 0080037

SWD

THIS SPACE RESEI

2007-016881

Klamath County, Oregon



00032179200700168810010016

09/28/2007 03:27:56 PM

Fee: \$21.00

## STATUTORY WARRANTY DEED

**Gregory L. Imrich and Eric W. Campbell, as tenants in common, Grantor(s)** hereby convey and warrant to  
**Dale A. Marsland and Lavonne J. Marsland, 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:

Parcel 1 of Land Partition 31-06, said Land Partition being a replat of Parcel 2 of Land Partition 4-03, said Land Partition being  
situated in the W1/2 of Section 33 and the E1/2 of Section 32, Township 39 South, Range 11 ~~West~~ East of the Willamette Meridian,  
Klamath County, Oregon and in the NW1/4 of Section 4, Township 40 South, Range 12 East of the Willamette Meridian,  
Klamath County, Oregon.

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:

2007-2008 Real Property Taxes a lien not yet due and payable.

The true and actual consideration for this conveyance is **\$320,000.00**.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD  
INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES AND 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 197.352.

Dated this 24th day of Sep, 2007

Gregory L. Imrich  
Gregory L. Imrich

Eric W. Campbell  
Eric W. Campbell

State of Oregon  
County of KLAMATH

This instrument was acknowledged before me on 9/24, 2007 by Gregory L. Imrich and Eric W. Campbell.



(Signature)  
(Notary Public for Oregon)

commission expires 12/20/10

21 AMT