

2009-009505

Klamath County, Oregon



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07/13/2009 02:25:28 PM

Fee: \$26.00

**RESTRICTIVE COVENANT
Big Game Winter Range**

The undersigned, being the record owners of all of the real property described as follows; 3811-01500-02100 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. Exbit A

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 02100 in Township 38 South, Range 11 East, Section 01500, 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."

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 13 day of July, 2009.

Thomas Elton French
Record Owner

Donna Lynn French
Donna French
Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

AND DONNA LYNN FRENCH

Personally appeared the above names THOMAS ELTON FRENCH and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 13 day of July, 2009.



Susie Costic
Notary Public for State of Oregon
My Commission Expires: 3/13/2010

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

Exhibit A

M05-68608

Klamath County, Oregon

11/08/2005 03:24:49 PM

Pages 1 Fee: \$21.00

After Recording Return to:

TOM FRENCH**P.O. BOX 572****VENETA, OR. 97487**

Until a change is requested all tax statements

Shall be sent to the following address:

TOM FRENCH**P.O. BOX 572****VENETA, OR. 97487****WARRANTY DEED**

(INDIVIDUAL)

ATE-62476 SH

BRC FUNDING CORPORATION, herein called grantor, convey(s) to **TOM FRENCH and DONNA FRENCH**, husband and wife, herein called grantee, all that real property situated in the County of **KLAMATH**, State of Oregon, described as:

Lot 52, Block 45, KLAMATH FALLS FOREST ESTATES, HIGHWAY 66 UNIT, PLAT NO.2, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

CODE 219 MAP 3811-015C0 TL 02100 KEY# 468728

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except covenants, conditions, restrictions, reservations, rights, rights of way and easements of record, if any, and apparent upon the land, contracts and/or liens for irrigation and/or drainage

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is **\$12,000.00**.
(here comply with the requirements of ORS 93.930)

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 **OCTOBER 10/27, 2005**.

BRC FUNDING CORPORATION**COLLEEN P. BREWER, PRESIDENT**


STATE OF Utah County of Sanpete ss.

OCTOBER 27, 2005 personally appeared **COLLEEN P. BREWER** WHO BEING DULY SWORN (AFFIRMED) DID SAY THAT SHE IS THE President OF **BRC FUNDING CORPORATION** AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT WAS SIGNED AND SEALED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS; AND SHE HAS ACKNOWLEDGED SAID INSTRUMENT TO BE ITS VOLUNTARY ACT AND DEED.

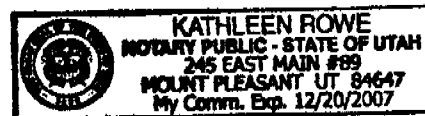
This document is filed at the request of:

Aspen
TITLE & ESCROW, INC.

525 Main Street
Klamath Falls, OR 97601
Order No.: 00062476

Before me: Kathleen Rowe
Notary Public for Oregon
My commission expires: 12-20-2007

Official Seal



21-A