

2009-010546

Klamath County, Oregon

Page ____ of ____

After recording return to:

DAVID SNIDER
8842 Avant Rd
Klamath Falls, OR 97603



00070560200900105460040047

08/05/2009 08:03:58 AM

Fee: \$36.00

RESTRICTIVE EASEMENT & COVENANT

Adjacent Property Sanitary (Septic) System (Same Owners)

Pursuant to Oregon Administrative Rules, 340-071-130(11)(b) and 340-071-150(4)(a) and in consideration for approval Klamath County, Oregon of Land Use Compatibility Worksheet No. LUC509-0524 and the issuance of an On-Site Sanitary System placement permit on property described as Tax Lot No(s). 00103 Section 007a0, Township 39 South, Range 10 East, W.M.; Tax Account No(s). R872462. The legal description of the real properties, hereby and further referenced as Subject Parcels that are burdened by this Restrictive Covenant:

See Attached Exhibit 'A' & Exhibit 'B'

The common description of the real property, hereby and further referenced as Site Plan Map, and described as:

See Attached Exhibit 'C'

The undersigned, being the record owner(s) of all of the real property described above and further identified by "Exhibits A, B, & C" 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.

I (We), David Snider, the undersigned real property owner(s), for ourselves and for our heirs, executors, administrators and assigns, do hereby agree and stipulate to the following conditions:

- (1) Subject Parcels are restricted from independent or individual sale and are joined together for such period as the On-Site Sanitary System placement permit is in effect.
- (2) Subject Parcels shall not be put to any use which would be detrimental to the permitted system or contrary to any law (including an administrative rule) applicable to a permitted system.
- (3) This covenant shall not be modified or terminated except by the express written consent of the owners of the land at the time, the State of Oregon and/or by the State's Agent Klamath County Community Development Department, as hereafter provided.

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

Revised 11/2008

I (We), further agree that failure to comply with any provisions of this covenant shall constitute a violation of this covenant. To facilitate the enforcement of this covenant, any violation of this covenant shall constitute a nuisance and may be enjoined, abated or removed by State of Oregon and/or by the State's Agent Klamath County Community Development Department; and, provide irrevocable permission to enter and inspect, including by excavation, the on-site sewage disposal system and all components.

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 4 day of August, 2009.

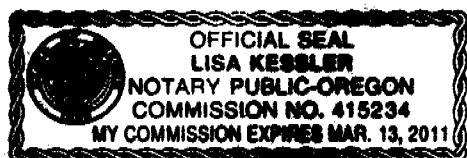
David Snider
Owner of Record

Tina Snider
Owner of Record

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names David Snider & Tina Snider and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 4th day of August, 2009.

By Lisa Kessler



Lisa Kessler
Notary Public for State of Oregon

My Commission Expires: Mar. 13, 2011

MT 84824-LW

GABRIELLE SNIDER

THIS S

2009-005535

Klamath County, Oregon



00064839200900055350010016

04/21/2009 03:14:27 PM

Fee: \$21.00

Grantor's Name and Address

DAVID SNIDER & TINA SNIDER

8842 ARANT ROAD

KLAMATH FALLS, OR 97603

Grantee's Name and Address

After recording return to:

DAVID SNIDER & TINA SNIDER

8842 ARANT ROAD

KLAMATH FALLS, OR 97603

Until a change is requested all tax statements

shall be sent to the following address:

DAVID SNIDER & TINA SNIDER

8842 ARANT ROAD

KLAMATH FALLS, OR 97603

Escrow No. MT 84824-LW

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That GABRIELLE SNIDER, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto DAVID SNIDER and TINA SNIDER, as tenants by the entirety, hereinafter 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 the County of KLAMATH, State of Oregon, described as follows, to wit:

Parcel 2 of Land Partition 18-04 being a replat of Parcels 2 and 3 of Major Partition 1-91 situated in the NE1/4 NE1/4 of Section 7 and NW1/4 NW1/4 of Section 8, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon. TOGETHER WITH a 30 foot wide easement across Parcel 1 of Land Partition 78-04 for ingress, egress and utilities as shown on Partition Plat.

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, 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, CHAPTER 424, OREGON LAWS 2007.

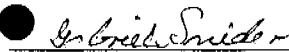
To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is to clear title

However, the actual consideration consists of or includes other property or value given or promised which is the whole / part of the consideration.

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.

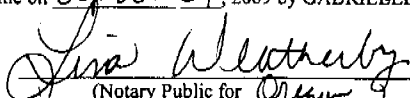
In Witness Whereof, the grantor has executed this instrument this 21 day of April, 2009; if a corporate grantor, it has caused its name to be signed and its seal if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.


GABRIELLE SNIDER

State of Oregon
County of Klamath

This instrument was acknowledged before me on April 21, 2009 by GABRIELLE SNIDER.




(Notary Public for Oregon)
My commission expires 11/20/2011

21/mt

EXHIBIT C

