

Returned @ Counter

Page ____ of ____

After recording return to:

Randy L. Roberts
5503 Upland Dr.
Klamath Falls OR
97603



11/05/2009 12:41:35 PM

Fee: \$42.00

**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 Plot #2 Block 37 Lot 23 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 _____ South, Range _____ East, Section _____, 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. This covenant is made pursuant to the provisions of the Klamath County Land Development Code.

Dated this 5th day of November, 2009.

Randy L. Roberts
Record Owner

Rosanna L. Roberts
Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Randy L. Roberts & Rosanna L. Roberts and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 5th day of November 2009
By Heather Sciurba, Notary



Heather Sciurba
Notary Public for State of Oregon
My Commission Expires: Feb. 9, 2010

MT81608-KR

THIS SPACE RE

2008-001213

Klamath County, Oregon



00039265200800012130010018

01/29/2008 03:17:05 PM

Fee: \$21.00

After recording return to:

Randy L. Roberts

PO Box 7509

Klamath Falls, OR 97602

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

Randy L. Roberts

PO Box 7509

Klamath Falls, OR 97602

Escrow No. MT81608-KR

Title No. 0081608

SWD

STATUTORY WARRANTY DEED

Glenn O. Cleven and Helen L. Cleven, as tenants by the entirety, Grantor(s) hereby convey and warrant to Randy L. Roberts, 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 23 in Block 37 of 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.

Grantor: Randy L. Robert

Grantee: Randy L. Robert and

as tenants by the entirety

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 \$9,500.00.

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.

Dated this 29th day of January, 2008.

Glenn O. Cleven
Glenn O. Cleven

Helen L. Cleven
Helen L. Cleven

State of Oregon

County of KLAMATH

This instrument was acknowledged before me on January 29, 2008 by Glenn O. Cleven and Helen L. Cleven.



Kristi L. Redd
(Notary Public for Oregon)

My commission expires 11/16/2011

2/1/08