

2009-016111

Klamath County, Oregon



00077178200900161110040043

12/24/2009 01:49:08 PM

Fee: \$52.00

# **RESTRICTIVE COVENANT** **Accessory Structure Building Permit**

The undersigned, being the record owners of all of the real property described as follows: LOT 16 + 17 OREGON SHORES UNIT 2 TRACT 1113, 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.

The following restrictive covenant(s) hereafter bind the subject property:

"The 20 foot by 24 foot ( 480 square feet total) accessory structure described as a GARAGE and located on property designated by the Klamath County Assessor's Office as Tax Lot 05100 in Township 35 South, Range 07 East, Section 01800 permitted in conjunction with a **primary use** ( RESIDENCE ) on the adjacent parcel described as Tax Lot 05100 in Township 35 South, Range 07 East, Section       . Said structure may be used for purposes customarily accessory and subordinate to the primary use of the above referenced parcel."

"Tax lots 05100 and 05200, as described above, shall not be transferred, conveyed, leased, mortgaged or otherwise liened separately from each other but only to identical transferees, mortgagees or lien claimants until such time as a lawful primary use is permitted on Tax Lot 05200, where the named accessory use is located."

The covenant(s) 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 24 day of December, 2009.  
James C. Miller  
Record Owner

Eleanor Miller  
Record Owner

STATE OF OREGON )  
                          ) ss.  
County of Klamath )

Personally appeared the above names James C. Miller, Eleanor Miller and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 24 day of December, 2009



Katrina Hardman  
Notary Public for State of Oregon  
My Commission Expires:

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

MTC 76522-MS



THIS SPACE RESERVED FOR RECORDING USE

2006-017479

Klamath County, Oregon

00002534200600174790010012

08/30/2006 03:22:37 PM

Fee: \$21.00

After recording return to:

James C. Miller

956 Kings Canyon Drive

El Dorado Hills, CA 95762

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

James C. Miller

956 Kings Canyon Drive

El Dorado Hills, CA 95762

Escrow No. MT76522-MS

Title No. 0076522

SWD

### STATUTORY WARRANTY DEED

Dennis Vader, Grantor(s) hereby convey and warrant to James C. Miller and Eleanor M. Miller, 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:

Lot 16 of Block 23, OREGON SHORES SUBDIVISION, UNIT 2, TRACT NO. 1113, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Tax Account No: 3507-018DB-05100-000

Key No: 243622

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:  
2006-2007 Real Property Taxes a lien not yet due and payable.

The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

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 30th day of Aug. 2006.

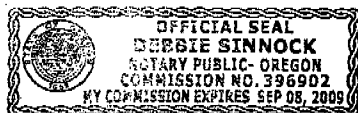
Dennis Vader

State of Oregon  
County of KLAMATH

This instrument was acknowledged before me on 8-30-2006 by Dennis Vader.

(Notary Public for Oregon)

My commission expires 9-8-09



21.00

2007-016797

Klamath County, Oregon

THIS SPACE RESERV



MT80440-MS

After recording return to:

Eleanor Dayton Miller

1165 Harbor Isles Blvd.

Klamath Falls, OR 97601

00032072200700167970020029

09/26/2007 11:30:28 AM

Fee: \$26.00

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

Eleanor Dayton Miller

1165 Harbor Isles Blvd.

Klamath Falls, OR 97601

Escrow No. MT80440-MS

Title No. 0080440

SWD

#### STATUTORY WARRANTY DEED

**Marcia K. Campbell, Trustee of the Oren & Marcia Campbell Family Trust under Declaration of Trust**, Grantor(s) hereby convey and warrant to **Eleanor Dayton Miller**, 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 17 in Block 23 of TRACT NO. 1113, OREGON SHORES SUBDIVISION, UNIT 2, according to the official plat thereof on file in the office of the County Clerk of 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 **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

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.

26 AMT

Dated this 14<sup>th</sup> day of SEPTEMBER 2007

Trustee of the Oren & Marcia Campbell Family Trust under Declaration of Trust

BY: Marcia K. Campbell, Trustee  
Marcia K. Campbell, Trustee

STATE OF CALIFORNIA

COUNTY OF VENTURA

On 09-19<sup>th</sup> 2007 before me, MARIA GUTIERREZ, NOTARY PUBLIC, personally appeared Marcia K. Campbell, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that executed the same in authorized capacity(~~ies~~), and that by signature(~~s~~) on the instrument the person(~~s~~) or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Maria Gutierrez

