

After recording return to:

Kurt Straube

95152 Turnbow Lane

Junction City, OR 97448

2009-016246

Klamath County, Oregon



00077337200900162460020021

12/30/2009 08:43:54 AM

Fee: \$42.00

RESTRICTIVE COVENANT

Conditional Use Permit

The undersigned, being the record owners of all of the real property described in "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 200 in Township 24 South, Range 7 East, Section 17, 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 15th day of December, 2009.

KURT J. STRAUBE, Record Owner

Larson M. Straube

KARLA M. STRAUBE, Record Owner

GARY McCARTNEY, Record Owner

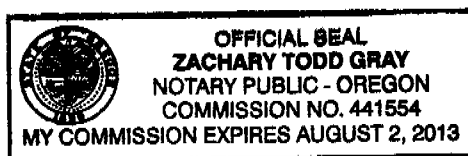
Angie McCartney
ANGIE MCCARTNEY Record Of

ANGIE McCARTNEY, Record Owner

STATE OF OREGON)
) ss.
County of Lane)

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

By _____



Julie Todd King
Notary Public for State of Oregon
My Commission Expires:
August 2, 2013

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

EXHIBIT A
LEGAL DESCRIPTION

BEGINNING at a point on the West line of Section 17, Township 24 South, Range 7 East, Willamette Meridian and on the northerly line of Oregon Highway 58, North 0°42'04" East 546.81 feet from the one-quarter corner between sections 17 and 18, Township 24 South, Range 7 East, Willamette Meridian; thence along said west line North 0°42'04" East 109.59 feet to the northwest corner of the southwest ¼ southwest ¼ northwest ¼ of said section 17; thence South 89°21'51" East 655.06 feet to the northeast corner of the southwest ¼ southwest ¼ northwest ¼ of said section 17; thence along the east line of said southwest ¼ southwest ¼ northwest ¼ South 0°44'09" West 589.53 feet to the northerly line of Oregon Highway 58; thence along said northerly line North 53°05'51" West 811.33 feet to the Point of Beginning, in Klamath County, Oregon.