

2010-003801

Klamath County, Oregon

Page ____ of ____

After recording return to:

JODY ELLIOTT
2121 MADISON ST.
KLAMATH FALLS OR 97603



00081865201000038010020027

03/29/2010 02:05:24 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: 12 3011-00910-02400 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 2400 in Township 30 South, Range 11 East, Section 9C, 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 29 day of MARCH, 2010.

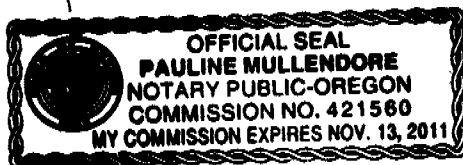
Record Owner

Record Owner

STATE OF OREGON)
) ss.
 County of Klamath)

Personally appeared the above names Jody M. Elliott and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 29 day of March, 2010.

By Jody M. Elliott



Pauline Mullenore
 Notary Public for State of Oregon
 My Commission Expires: 11-13-11

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

Returned @ County

42

2009-009910

Klamath County, Oregon

After Recording Return to:

JODY ELLIOTT

1045 Pine St

Brownsville, OR 97327

Until a change is requested all tax statements

Shall be sent to the following address:

JODY ELLIOTT

1045 Pine St

Brownsville, OR 97327

07/21/2009 11:53:33 AM

Fee: \$21.00

ATE 66956

WARRANTY DEED

(INDIVIDUAL)

DOUGLAS S. LEWIS and DEBORAH L. LEWIS, husband and wife, herein called grantor, convey(s) to JODY ELLIOTT, herein called grantee, all that real property situated in the County of KLAMATH COUNTY, State of Oregon, described as:

Lot 22, Block 38, 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 3811-009CO TL 02400 KEY #464312

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 \$19,500.00.

(here comply with the requirements of ORS 93.930)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF 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, 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 SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007.

Dated July 16, 2009.

Douglas S. Lewis

DOUGLAS S. LEWIS

Deborah L. Lewis

DEBORAH L. LEWIS

STATE OF CALIFORNIA, County of San Bernardino ss.

On July 20th, 2009 personally appeared the above named DOUGLAS S. LEWIS and DEBORAH L. LEWIS and acknowledged the foregoing instrument to be [* his/her their] voluntary act and deed.

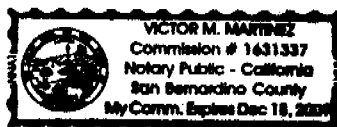
This document is filed at the request of:

Aspen
TITLE & ESCROW, INC.

525 Main Street
Klamath Falls, OR 97601
Order No.: 66956PS

Before me: Victor M. Martinez
Notary Public for California
My commission expires: December 18, 09

Official Seal



821 ATE