

Returned to Counter

2010-005407

Klamath County, Oregon

Page ____ of ____

After recording return to:

Dale Marsland



00083706201000054070020020

05/07/2010 10:57:31 AM

Fee: \$42.00

**RESTRICTIVE COVENANT
BIG GAME WINTER RANGE**

The undersigned, being the record owners of all of the real property described as follows; R-3911-00000-09201
Dale & LaVonne Marsland 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 9201 in Township 39 South, Range 11 East, Section 33, 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 7 day of May, 2010.

Dale A Marsland
Record Owner

LaVonne J Marsland
Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Dale & LaVonne Marsland and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 7th day of May, 2010.

By _____



Paula Jeanne Harris
Notary Public for State of Oregon
My Commission Expires:

Nov 29, 2010

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



MT80037-MS

After recording return to:

Dale A. Marsland

12449 14th Ave. S

Seattle, WA 98168

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

Dale A. Marsland

12449 14th Ave. S

Seattle, WA 98168

Escrow No. MT80037-MS

Title No. 0080037

SWD

STATUTORY WARRANTY DEED

Gregory L. Imrich and Eric W. Campbell, as tenants in common, Grantor(s) hereby convey and warrant to **Dale A. Marsland and Lavonne J. Marsland, 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:

Parcel 1 of Land Partition 31-06, said Land Partition being a replat of Parcel 2 of Land Partition 4-03, said Land Partition being situated in the W1/2 of Section 33 and the E1/2 of Section 32, Township 39 South, Range 11 ~~West~~ East of the Willamette Meridian, Klamath County, Oregon and in the NW1/4 of Section 4, Township 40 South, Range 12 East of the Willamette Meridian, 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:

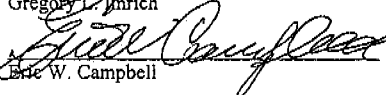
2007-2008 Real Property Taxes a lien not yet due and payable.

The true and actual consideration for this conveyance is **\$320,000.00**.

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.

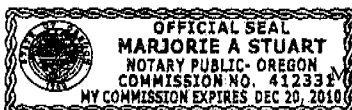
Dated this 21th day of Sep, 2007



Gregory L. Imrich


Eric W. Campbell

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on 9/24, 2007 by Gregory L. Imrich and Eric W. Campbell.




(Notary Public for Oregon)

commission expires 12/20/10

21 AMT