

2010-006586

Klamath County, Oregon



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06/01/2010 11:58:29 AM

Fee: \$42.00

After recording return to:  
 Tru-Line Surveying Inc.  
 2333 Summers Lane  
 Klamath Falls, OR 97603

## RESTRICTIVE COVENANT

The undersigned, being the record owners of all of the real property described as follows; Land Partition 55-09 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 Land Partition 55-09 on property designated by the Klamath County Assessor's Office as Tax Lot 800 and 801 in Township 40 South, Range 10 East, Section 9; and Tax lot 100 in Township 40 South, Range 10, Section 8, 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.

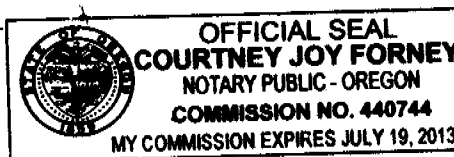
Dated this 25<sup>th</sup> day of May, 20 10.

Record Owner Jerry J. Peacore

Record Owner Maralea Peacore

Record Owner Denise Diane Mathis

STATE OF OREGON     )  
                                   ) ss.  
 County of Klamath    )



Personally appeared the above names Jerry J. Peacore, Maralea Peacore, and Denise Diane Mathis, and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 25<sup>th</sup> day of May, 20 10.

By \_\_\_\_\_

Courtney Joy Forney  
 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.

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## **SURVEYOR'S CERTIFICATE**

I, JOHN M. HEATON, A REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE PARTITIONED AND PLATTED "LAND PARTITION 55-09", BEING A REPLAT OF PARCELS 2 AND 3 OF LAND PARTITION 45-01, SITUATED IN THE W1/2 OF SECTION 9, AND THE E1/2 OF SECTION 8, T40S, R10EWM, KLAMATH COUNTY, OREGON CONTAINING 241.69 ACRES MORE OR LESS, TOGETHER WITH AN EASEMENT FOR ACCESS AS GRANTED BY INSTRUMENT RECORDED AUGUST 22, 2002 IN VOLUME M02, PAGE 47417, MICROFILM RECORDS OF KLAMATH COUNTY, OREGON