

After recording return to:

William Downing



00089765201000105240030037

09/03/2010 02:11:48 PM

Fee: \$47.00

**RESTRICTIVE COVENANT
Primary Structure Building Permit**

The undersigned, being the record owners of all of the real property described as follows; R-3908-036DB-010001R3908-036DB-01100, 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:

"Tax lots 01000 and 01100, 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.

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 3rd day of September, 2010.

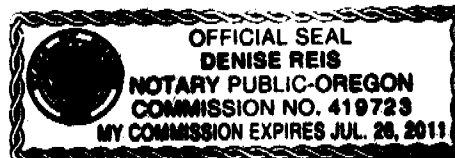
William R. Dawney
Record Owner

Joelene A. Dawney
Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names William R. Dawney and Joelene A. Dawney and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 3rd day of Sept, 2010.

Denise Reis
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.



After recording return to:
William R. Downey and Joelene A.
Downey
131 Sunrise
Midland, OR 97634

Until a change is requested all tax statements
shall be sent to the following address:
William R. Downey and Joelene A.
Downey
131 Sunrise
Midland, OR 97634

File No.: 7021-336523 (SAC)
Date: March 16, 2004

THIS SPACE RESERVED FOR RECORDER'S USE

State of Oregon, County of Klamath
Recorded 03/24/2004 3:21 0 m
Vol M04 Pg 16577-16578
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

STATUTORY WARRANTY DEED

Thomas A. Sims and Bonnie A. Sims as tenants by the entirety, Grantor, conveys and warrants to William R. Downey and Joelene A. Downey as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Lots 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 in Block 5 Midland, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. TOGETHER with that portion of vacated Main Street (now called Sunrise Street) which inures to the above described lots.

This property is free from liens and encumbrances, EXCEPT:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

THIS INSTRUMENT WILL 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.

The true consideration for this conveyance is \$149,000.00. (Here comply with requirements of ORS 93.030)


16578

APN: 503048

Statutory Warranty Deed
- continued

File No.: 7021-336523 (BAC)
Date: 03/16/2004


Thomas A. Sims


Bonnie A. Sims

STATE OF Oregon

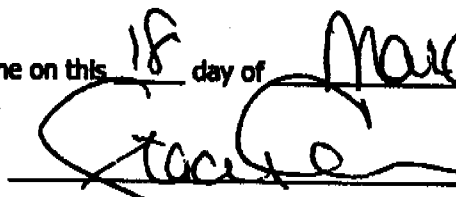
County of

Klamath)
ss.

This instrument was acknowledged before me on this

18 day of March 20 04

by Thomas A. Sims and Bonnie A. Sims.


Notary Public for Oregon
My commission expires: 8-2-07

