

2010-010587

Klamath County, Oregon

Page ____ of ____

After recording return to:

DANIEL BRADY

00089841201000105870020025

09/07/2010 11:23:54 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; 12-3811-00ABD-00600 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 4002 in Township 38S South, Range 11E East, Section AB, 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.

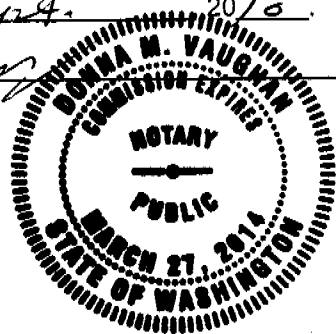
KLAMATH COUNTY, a political subdivision of the State of Oregon, shall be considered a party to this covenant and shall have the right, if it so desires, to enforce any or all of the covenant(s) contained herein by judicial or administrative proceeding. This covenant is made pursuant to the provisions of the Klamath County Land Development Code.

Dated this 3 day of Sept. 2010.

Record Owner

Record Owner

STATE OF OREGON)
) ss.
County of Klamath)



Personally appeared the above named Donna M. Vaughan + Renee Brady and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 3rd day of September 2010.
By _____

3-27-2014
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

NTC 88204-LW

THIS SPACE R

2010-009723

Klamath County, Oregon



00088802201000097230020028

08/16/2010 03:48:53 PM

Fee: \$42.00



After recording return to:

DANIEL BRADY

2120 PEACH AVE NW

OLYMPIA, WA 98502

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

DANIEL BRADY

2120 PEACH AVE NW

OLYMPIA, WA 98502

Escrow No. MT88204-LW

Title No. 0088204

SWD r.012910

STATUTORY WARRANTY DEED

GLENN S. GALLMEISTER and CAREN L. GALLMEISTER, as tenants by the entirety, Grantor(s) hereby convey and warrant to DANIEL BRADY and RENEE BRADY, 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:

Lots 8, 9 and 10, Block 28, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, PLAT NO. 2, according to the official plat thereof on file in the office of the County Clerk of 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:

2010-2011 Real Property Taxes a lien not yet due and payable.

The true and actual consideration for this conveyance is \$45,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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 OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Dated this 13 day of AUGUST, 2010

Glenn S. Gallmeister
GLENN S. GALLMEISTER

