

NWC 1394-10310

2010-014744

Klamath County, Oregon

After recording return to:

STEVEN H. OLBERG17130 SW SEIFERT ROADSHERWOOD, OR 97140

00094739201000147440020023

12/30/2010 03:57:20 PM

Fee: \$42.00

**RESTRICTIVE COVENANT  
Conflicting Use-Farm & Forest Uses**

The undersigned, being the record owners of all of the real property described as follows; STEVEN H. OLBERG AND SHEILA CHRISTENSEN 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 4200 in Township 24 South, Range 8 East, Section 25C, 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 15 day of JUNE, 2010

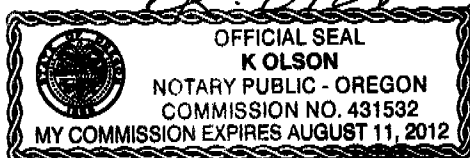
Sheila Christensen  
Record Owner

[Signature]  
Record Owner

STATE OF OREGON     )  
                                  ) ss.  
County of Klamath    )

Personally appeared the above names Steven H Olberg Sheila Christensen and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 15 day of June, 2010.

By Kathie Olson



Notary Public for State of Oregon  
My Commission Expires: 8-11-12

**Note:** A copy of the recorded instrument must be returned to Community Development before permits can be issued.  
\\mady\cdd\shared\PLANNING\Planning Forms\Covenant-CUP.doc

42Am

## **EXHIBIT "A"**

### LEGAL DESCRIPTION

JUNE 11, 2010

THAT TRACT OF LAND DESCRIBED IN DOCUMENT NUMBER 2007-019578, KLAMATH COUNTY DEED RECORDS, LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 24 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST ONE-HALF OF THE SOUTHEAST ONE-QUARTER, OF THE SOUTHWEST ONE-QUARTER, OF THE SOUTHWEST ONE-QUARTER (E1/2, SE1/4, SW1/4, SW1/4) OF SAID SECTION 25.

CONTAINS 220,705 SQUARE FEET, MORE OR LESS.