

2011-004721

Klamath County, Oregon



00100325201100047210040041

04/12/2011 03:11:50 PM

Fee: \$52.00

2011-004708

Klamath County, Oregon



00100310201100047080030038

04/12/2011 02:32:26 PM

Fee: \$47.00

Page ____ of ____

After recording return to:

Regina Curry

**RESTRICTIVE EASEMENT & COVENANT
Adjacent Property Well System
(Same Property Owners - ONLY)**

Pursuant to Klamath County Land Development Code, Article 75.010(A) and in consideration for approval Klamath County, Oregon of Land Use Compatibility Statement No. LUCS _____ the issuance of a _____ on property described as Tax Lot No(s) 5600 Section 35D Township 35 South, Range 12 East, W.M.; Tax Account No(s) R294737. The legal description of the real properties, hereby and further referenced as Subject Parcels that are burdened by this Restrictive Covenant:

See Attached Legal Deed Exhibit 'A' & Legal Deed Exhibit 'B'

The common description of the real property, hereby and further referenced as Site Plan Map, and described as:

See Attached Site Plan Exhibit 'C'

The undersigned, being the record owner(s) of all of the real property described above and further identified by "Exhibits A, B, & C" 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.

I (We), Lindsay & Regina Curry, the undersigned real property owner(s), for ourselves and for our heirs, executors, administrators and assigns, do hereby agree and stipulate to the following conditions:

- (1) Subject Parcels identified in Exhibits A & B are hereby restricted from independent or individual sale and are joined together for such period as both properties are served by a domestic well or a central water supply system recognized by Klamath County.
- (2) Subject Parcels shall not be put to any use which would be detrimental to state or federal clean water law, the well system, or contrary to any law or administrative rule.
- (3) 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 Planning Director, as hereafter provided.

Being Re-Recorded to add additional Legal

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

I (We), further agree that failure to comply with any provisions of this covenant shall constitute a violation of this covenant. To facilitate the enforcement of this covenant, any violation of this covenant shall constitute a nuisance and may be enjoined, abated or removed by the Klamath County Planning Director, official Code Enforcement Officer per Klamath County Land Development Code Article 14.030(B); and, as current property owners I (We) provide irrevocable permission to enter and inspect all components related to and hereby recognized by Article 14.080.

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, Article 15.020(B).

Dated this 13th day of MARCH, 2011.

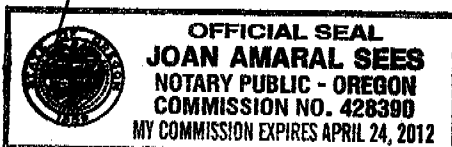
Regina Curry - Regina Curry
Owner of Record

Lindsey Curry - Lindsey Curry
Owner of Record

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names LINDSEY + REGINA Curry
Lindsey - Regina Curry and
acknowledged the foregoing instrument to be his/her voluntary act and deed before me
this 13th day of MARCH, 2011

By Joan Amaral Sees



Notary Public for State of Oregon

My Commission Expires: 4/24/2012

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

EXHIBIT A – Legal Description

This document shall be void if a true and accurate copy of the first of two legal deeds is not affixed below.

MOUNTAIN TITLE COMPANY

46008

MTC - 277054B WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That

ROLLAND BLANCHARD

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by LINDSEY CURRY and REGINA CURRY, husband and wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, the certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of KLAMATH and State of Oregon, described as follows, to-wit:

Lot 48 in Block 8 of SPRAGUE RIVER VALLEY ACRES, according to the official plat thereof on file in the office of the county Clerk of Klamath County, Oregon.

EXHIBIT B – Legal Description

This document shall be void if a true and accurate copy of the second of two legal deeds is not affixed below.

MOUNTAIN TITLE COMPANY

7471 MTC26364-LB

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That

RICHARD CARL PERSINGER and BARBARA M. PERSINGER, as tenants by the entirety

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by REGINA A. CURRY and LINDSEY CURRY, husband and wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, the certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of KLAMATH and State of Oregon, described as follows, to-wit:

Lot 47, Block 8, SPRAGUE RIVER VALLEY ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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

EA

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



DEC 6 AM 11:36

Not
OK

Ada E. CURRY
P.O. Box 251
BEATTY, OR 97621
Grantor's Name and Address

LINDSEY CURRY
P.O. Box 175
BEATTY, OR 97621
Grantee's Name and Address

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was
ed in
tion

SPACE RESERVED
FOR
RECORDER'S USE

ixed.

After recording, return to (Name, Address, Zip):

LINDSEY CURRY
P.O. Box 175
BEATTY, OR 97621

Until requested otherwise, send all tax statements to (Name, Address, Zip):

LINDSEY CURRY
P.O. Box 175
BEATTY, OR 97621

State of Oregon, County of Klamath

Recorded 12/06/04 11:36 a.m.

Vol M04 Pg 83384

Linda Smith, County Clerk

Fee \$ 21.00 # of Pgs 1

eputy.

QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS that Ada E. CURRY

hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and forever quitclaim unto

LINDSEY CURRY

hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of the grantor's right, title and interest in that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in

KLAMATH County, State of Oregon, described as follows, to-wit:

SPRAGUE RIVER VALLEY ACRES LOT 49

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 10.00. However, the actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☐ the whole (indicate which) consideration. (The sentence between the symbols \oplus , if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on December 6, 2004; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

Ada E. Curry

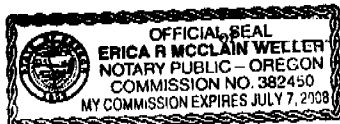
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

STATE OF OREGON, County of KlamathThis instrument was acknowledged before me on December 6, 2004

by

This instrument was acknowledged before me on

by



Erica R. McClain-Weller
Notary Public for Oregon
My commission expires July 7, 2008

ack
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