

After recording return to:



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04/22/2011 12:22:22 PM

Fee: \$52.00

**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 SEPTIC REPAIR on property described as Tax Lot No(s). 1500 Section 20B, Township 24S South, Range 8E East, W.M.; Tax Account No(s). R28023. 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), Brian Madewell, 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.

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 22nd day of April, 2011.

Brian Madewell
Owner of Record

Owner of Record

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Brian Madewell and
acknowledged the foregoing instrument to be his/her voluntary act and deed before me
this 22nd day of April, 2011.

By Brian Madewell.



Lisa Kessler
Notary Public for State of Oregon

My Commission Expires: Mar. 13, 2015

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.

Beaver marsh north Addition, Block 1, Lot 8

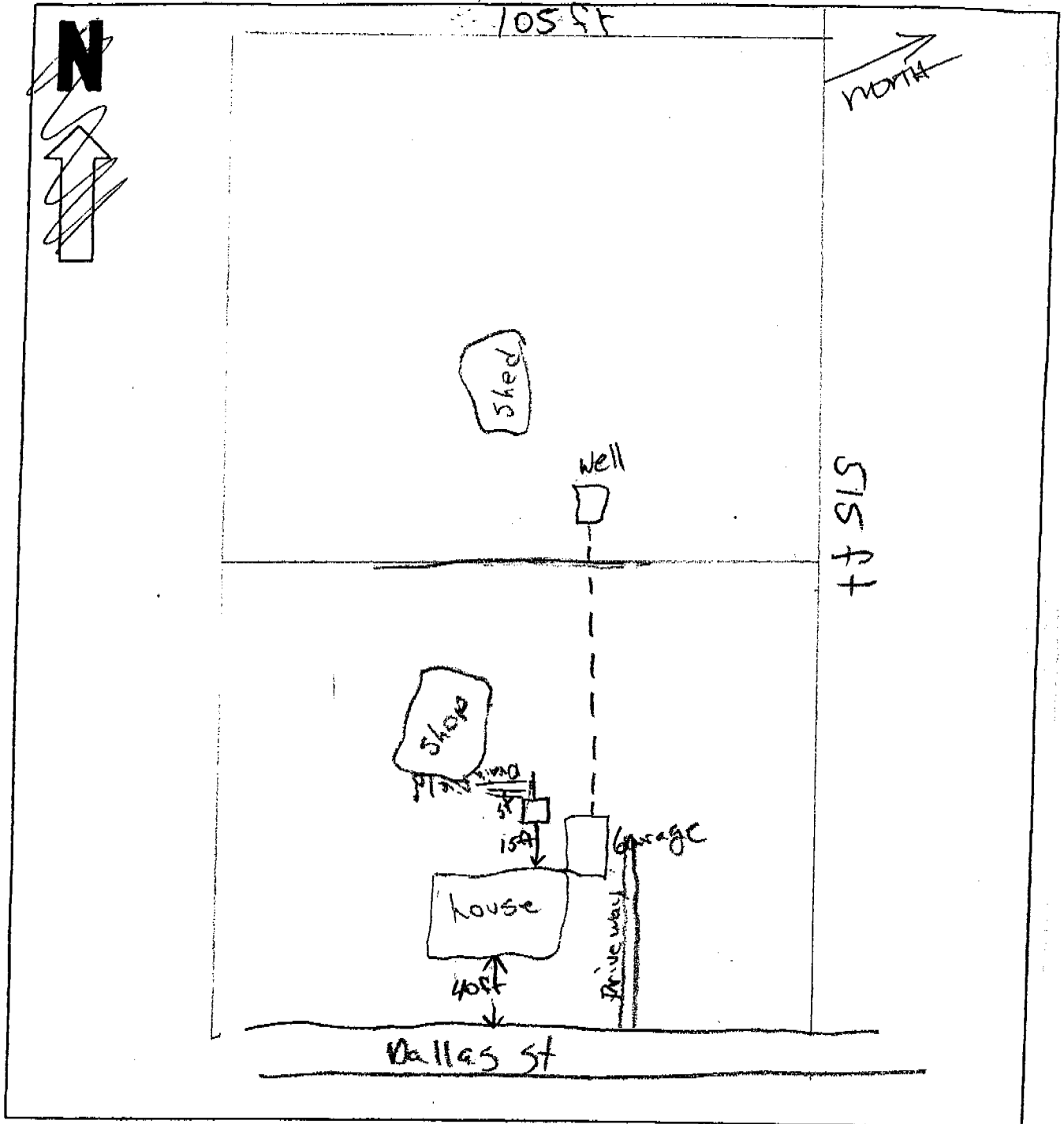
EXHIBIT B – Legal Description

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

Beaver marsh north Addition, Block 1, Lot 12.

EXHIBIT C - Site Plan

This document shall be void if a true and accurate copy of the aboveforementioned site plan is not affixed below.



1 inch equals _____ feet

Map Tax Lot #: 8-2808-02080-01500
Proposed Use:
Zone:

B. Madan
Signature of Applicant