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After recording return to:

Rhine-Cross Group, LLC.

112 N 5<sup>th</sup> St Suite 200

Klamath Falls, OR 97601

2011-006778

Klamath County, Oregon



00102789201100067780010013

06/03/2011 09:12:12 AM

Fee: \$37.00

**RESTRICTIVE COVENANT**

The undersigned, being the record owners of all of the real property described, do hereby make the following restrictive covenant(s), 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.

"Parcels 2 and 3 of LP 5-11 are part of the Running Y destination resort and, as such, will remain subject to that land use approval (DRO 1-94), the conditions thereof, and any subsequent amendments thereto. The recorded restrictive covenant (M05-69208), that a portion of this area remain as open space, as defined in Article 88.020(B) of the KC Land Development Code, shall continue to remain in place."

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 23 day of May, 2011.

Simon Hallgarten, Authorized Signatory

STATE OF CONNECTICUT

COUNTY OF Meriden SS. Bedding

On this the 23 day of May, 2011, before me, Catherine Smerig, the undersigned Officer, personally appeared Simon Hallgarten, who acknowledged himself to be the Authorized Signatory of Running Y Development, LLC a Limited Liability Company, and that he as such Authorized Signatory, being authorized so to do executed the foregoing instrument for the purposes therein contained, by signing the name of the Limited Liability Company by himself as Authorized Signatory.

In witness whereof I hereunto set my hand.

Signature of Notary Public

Date commission expires: 11/30/2015

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