

2011-011300

Klamath County, Oregon



00108450201100113000040045

10/11/2011 02:23:19 PM

Fee: \$52.00

After recording return to:  
City of Klamath Falls  
Attn: City Recorder  
500 Klamath Avenue  
Klamath Falls, OR 97601

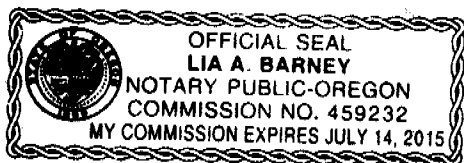
RESTRICTIVE COVENANT

Known all men by these presents that 5C, LLC, hereby grants this Restrictive Covenant in favor of the City of Klamath Falls, and for the benefit of the public, prohibiting the individual sale of any Parcel, or any portion thereof, legally described in Exhibit A. The intent of this Restrictive Covenant is to ensure that all parcels described in Exhibit A are "held together by a single property owner," as required by the City of Klamath Falls Surveyor's Comment #4 in the final Property Line Adjustment No. 09-11, of which is made a part of this document per the attached Exhibit B. This Restrictive Covenant shall be binding on and inure to the benefit of 5C, LLC, the City and their respective successors and assigns. By signing below, the City of Klamath Falls accepts the grant of the restrictive covenant made herein.

By: Christopher Cook  
Christopher Cook, Owner of 5C, LLC

STATE OF OREGON )  
County of Klamath ) ss.

Subscribed and acknowledged before me this 3rd day of October, 2011 by Christopher Cook as the Owner of 5C, LLC and was his voluntary act and deed.



BEFORE ME:  
Lia Barney  
Notary Public for Oregon  
My Commission Expires: 7/14/2015

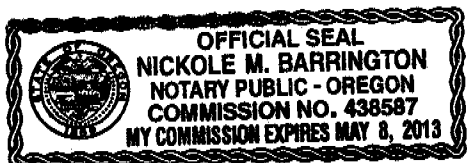
ACCEPTED BY THE CITY OF KLAMATH FALLS

By: Rick Whitlock  
Rick Whitlock, City Manager

Attest: Elisa D. Olson  
Elisa Olson, City Recorder

STATE OF OREGON )  
County of Klamath ) ss.

On the 1st day of October, 2011, personally appeared Rick Whitlock and Elisa D. Olson, who, each being first duly sworn, did say that the former is the City Manager and the latter is the City Recorder of the City of Klamath Falls, an Oregon municipal corporation, and that this instrument was signed on behalf of said municipal corporation; and each of them acknowledged said instrument to be the City's voluntary act and deed.



BEFORE ME:  
Nickole M. Barrington  
Notary Public for Oregon  
My Commission Expires: 5-8-2013

# ADKINS

CONSULTING  
ENGINEERS, INC.

Engineers



Planners



Surveyors



Testing

Exhibit A  
(page 1 of 2)

**Description of property being conveyed from 5C LLC to Klamath Health Partnership:**

Beginning at the Northeast corner of vacated Lot 18, Block 206 of Mills Second Addition to Klamath Falls, said point being marked by a 5/8 inch Iron rod; thence N89°24'00"E 10.00 feet; thence S00°36'00"E 132.39 feet; thence S89°05'19"W 10.00 feet to a point marked by a 5/8 inch Iron rod; thence N00°36'00"W 132.45 to the point of beginning, with bearings based on Klamath County Survey 7848.

# MAP OF SURVEY

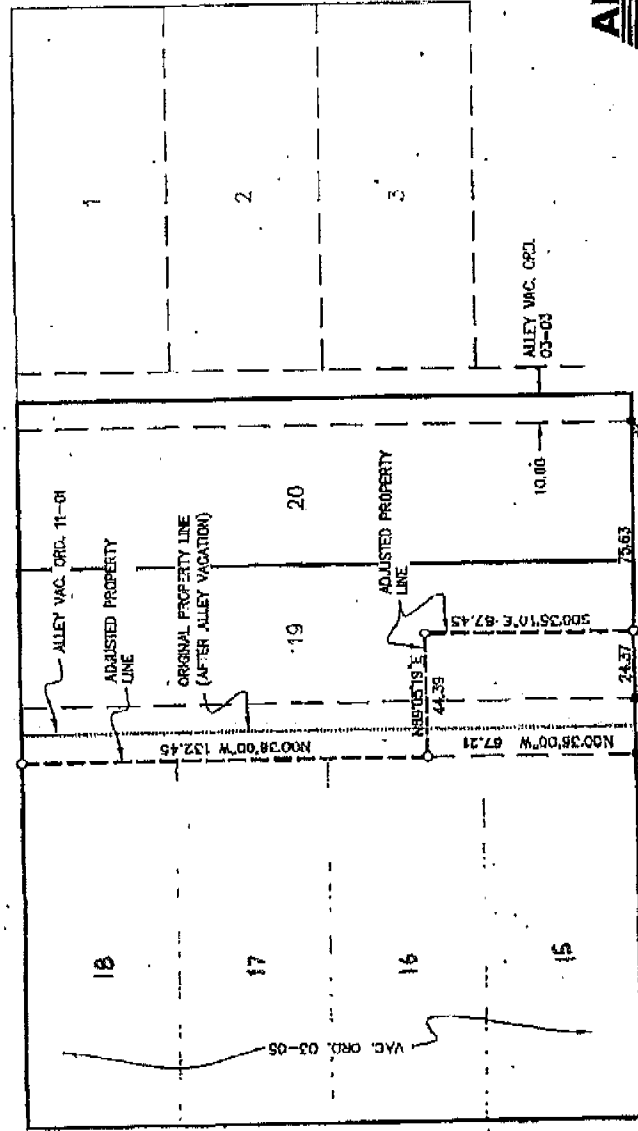
FOR PLA 9-11

IN BLOCK 206, MILLS 2ND ADDITION  
IN THE SE¼ OF SECTION 33, T38S, R9EWM,  
KLAMATH COUNTY, OREGON



UNION STREET

(S89°24'00"W)



EAST MAIN STREET

(S80°26'00"E)

ALLEY VAC. ORC.  
03-03

**ADKINS**  
SINCE 1983

CONSULTING  
ENGINEERS, INC.

FILED  
IN THE OFFICE OF THE KLAMATH  
COUNTY SURVEYOR THIS 25 DAY  
of July 2011

BASIS OF BEARING PER C.S. 8810  
S89°24'00"W 250.81

JUNE 2011

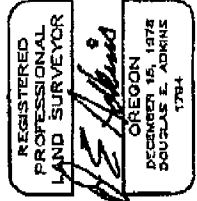
SITE PLAN

3022-01

EXAMINED AND APPROVED PROPERTY LINE ADJUSTMENT 09-11  
THIS 22 DAY OF JULY 2011 AS PER CITY OF  
KLAMATH FALLS COMMUNITY DEVELOPMENT ORDINANCE 11.000  
THROUGH 11.050, ALONG WITH ANY LISTED CONDITIONS STATED  
ON THE COMMENT SHEET OF FILE IN THE CITY OF KLAMATH  
FALLS ENGINEERING OFFICE.  
CITY SURVEYOR *Thomas J. P. Davis*

## NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO MONUMENT  
THE ADJUSTED LINE OF PROPERTY LINE ADJUSTMENT  
SHEET. THE EAST LINE OF LOTS 16, 17 AND 18,  
WHICH ARE VACATED, WAS ESTABLISHED AT RECORD  
PER C.S. 8810 AND THE MONUMENT SET AT THE  
NORTHEAST CORNER OF LOT 18 WAS SET PER THAT  
RECORD. OTHER MONUMENTS WERE SET AT THE  
DIRECTION OF THE CLIENT.



READING DATE 8/24/11

## LEGEND

ORIGINAL PROPERTY LINE

ADJUSTED PROPERTY LINE

○ SET 5/8" X 3/4" IRON ROD WITH RED PLASTIC  
CAP MARKED "ADKINS CONSULTING ENGINEERS INC"

★ FOUND 5/8" IRON ROD PER C.S. 8810

( ) RECORD DATA PER C.S. 8810

Exhibit A  
(page 2 of 2)

7848

**CITY OF KLAMATH FALLS  
REVIEW COMMENTS  
FOR  
PROPERTY LINE ADJUSTMENT NO. 09-11**

**CITY SURVEYOR:**

Comments are as follows:

1. Map: Reference the Vacation Ordinance for the vacation of Lots 15 through 18 on the map. Also reference the Vacation Ordinance of the Alley between the two property owners adjusting this property line.
2. Map: Vacated Lots 15 through 18 should appear "faded/ghost" style numbering.
3. Map: Darken the property boundaries for the entire perimeter of each ownership, as indicated on the "check print" shown by red and green line color. This also is further described in my next comment item 4.
- 4. Both property owners will need to record a Restrictive Covenant in favor of the City of Klamath Falls that precludes the portions of property being acquired to be sold separately from the existing lots/property that they are contiguous with once adjusted. Example "A": The portion to Cook Woods will become a part of the tract of land known as Vacated Lots 15 through 18. Example "B": The portion to Klamath Health Partnership will become a part of Lot 19.
5. Map: Add the City's standard approval statement: EXAMINED AND APPROVED PROPERTY LINE ADJUSTMENT 09-11 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011 AS PER CITY OF KLAMATH FALLS COMMUNITY DEVELOPMENT ORDINANCE 11.600 THROUGH 11.630, ALONG WITH ANY LISTED CONDITIONS STATED ON THE COMMENT SHEET ON FILE IN THE CITY OF KLAMATH FALLS ENGINEERING OFFICE. (Include City Surveyor signature line).
6. After the Surveyor of record complies with the requirements of this review and those of the County Surveyor; he/she shall submit the Property Line Adjustment Map of Survey Mylar to this office for approval prior to filing with the County Surveyor.
7. The Surveyor of record shall also comply with the five requirements of the FOLLOWING APPROVAL form that was included in the application packet.

Date:

5/9/11

Signature:

T. Del Santo