

Returned to Counter

2011-011301

Klamath County, Oregon

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



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10/11/2011 02:23:32 PM

Fee: \$52.00

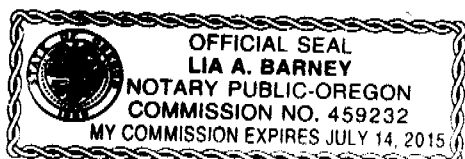
RESTRICTIVE COVENANT

Known all men by these presents that Klamath Health Partnership, Inc., 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 Klamath Health Partnership, Inc., 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: Signe Porter  
Signe Porter, CFO for Klamath Health Partnership, Inc.

STATE OF OREGON                     )  
County of Klamath                 ) ss.

Subscribed and acknowledged before me this 28th day of September, 2011 by Signe Porter as the Chief Financial Officer of Klamath Health Partnership, Inc., acting in her capacity for Klamath Health Partnership, Inc., and was her voluntary act and deed.



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

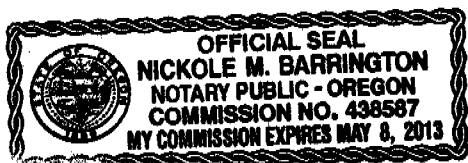
ACCEPTED BY THE CITY OF KLAMATH FALLS

By: Rick Whitlock  
Rick Whitlock, City Manager

Attest: Elisa D. Olson  
Elisa Olson, City Recorder

STATE OF OREGON                     )  
County of Klamath                 ) ss.

On the 14th 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



Exhibit A  
(page 1 of 2)

Engineers ▲ Planners ▲ Surveyors ▲ Testing

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

Beginning at the Southwest corner of Lot 19, Block 206 of Mills Second Addition to Klamath Falls, said point marked by a 5/8-inch iron rod; thence S89°24'00"W 10.00 feet; thence N00°36'00"W 67.27 feet; thence N89°05'19"E 34.39 feet to a point marked by a 5/8" iron rod; thence S00°35'10"E 67.45 feet to a point marked by a 5/8" iron rod; thence S89°24'00"W 24.37 feet to the point of beginning, with bearings based on Klamath County Survey 7848.



# MAP OF SURVEY

FOR PLA 9-11

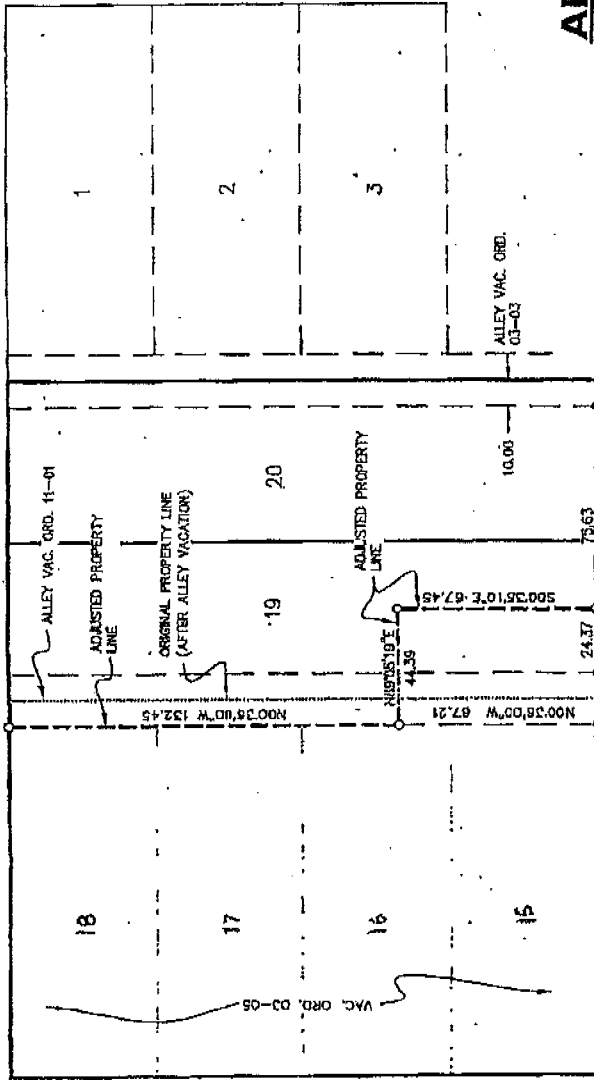
IN BLOCK 206, MILLS 2ND ADDITION  
IN THE SE¼ OF SECTION 33, T38S, R9EWM,  
KLAMATH COUNTY, OREGON

EXAMINED AND APPROVED PROPERTY LINE ADJUSTMENT ON-11  
THIS 12<sup>th</sup> DAY OF JULY, 2011 AS PER CITY OF  
KLAMATH FALLS COMMUNITY DEVELOPMENT ORDINANCE 11.000  
TAKING INTO ACCOUNT ALL LISTED CONDITIONS STATED  
ON THE COMMENT SHEET ON FILE IN THE CITY OF KLAMATH  
FALLS ENGINEERING OFFICE.

CITY SURVEYOR *Thomas J. Adams*

UNION STREET

(S89°24'00"W)



EAST MAIN STREET  
(S89°28'00"E)

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*H.E. Adkins*  
OREGON  
DECEMBER 15, 1978  
DOUGLAS L. ADKINS  
1784  
RENEWAL DATE 6/27/11

## LEGEND

- ORIGINAL PROPERTY LINE
- ADJUSTED PROPERTY LINE
- SET 5/8" X 30" IRON ROD WITH RED PLASTIC CAP MARKED "ADKINS CONSULT ENGRS INC"
- FOUND 5/8" IRON ROD PER C.S. 8810
- ( ) RECORD DATA PER C.S. 8810

ADKINS  
SINCE 1983

CONSULTING  
ENGINEERS, INC.  
2950 Shasta Way • Klamath Falls, Oregon 97603 • (541) 884-4888 • FAX (541) 884-5335  
Klamath Falls, OR • Medford, OR • Astoria, OR

FILED  
IN THE OFFICE OF THE KLAMATH  
COUNTY SURVEYOR THIS 25<sup>th</sup> DAY  
of July 2011

BASIS OF BEARING PER C.S. 8810  
S89°24'00"W 250.51'

3072-01

SITE PLAN

Exhibit A  
(pg 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