

After recording return to:

Frank Merello



00136780201300060760020024

05/30/2013 10:03:35 AM

Fee: \$42.00

RESTRICTIVE COVENANT Conditional Use Permit

The undersigned, being the record owners of all of the real property described as follows; JEFF AND CYNDI BROWNS and further identified by "Exhibit A" 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.

In consideration of approval by Klamath County, Oregon of a land use permit to construct a single family dwelling on property designated by the Klamath County Assessor's Office as Tax Lot 00300 in Township 31 South, Range 07 East, Section 02400, the following restrictive covenant(s) hereafter bind the subject property:

"Declarant and Declarant's heirs, legal representatives, assigns, and lessees hereby recognize(s) the rights of adjacent and nearby landowners to conduct farm and forest operations consistent with accepted farming practices and Forest Practices Act, ORS 30.090 and Rules for uses authorized by this Code."

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.

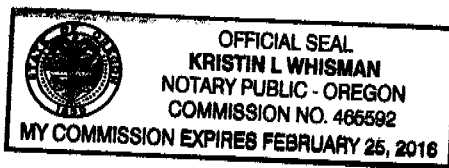
Dated this 20th day of May, 2013.

Cyndi Browns
Record Owner

Jeff Browns
Record Owner

STATE OF OREGON)
County of Klamath) ss.
JACKSON

Personally appeared the above names Cyndi & Jeff Browns and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 28 day of May, 2013



Kristin Whisman
Notary Public for State of Oregon
My Commission Expires: 2/25/16

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

1:

A tract of land situated in the E1/2 W1/2 of Section 24, Township 31 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a 5/8 inch iron pin marking the C-W 1/16 corner of said Section 24; thence North 00° 03' 23" East, along the West line of the E1/2 W1/2 of said Section 24, 1495.37 feet to the centerline of Sand Creek; thence Easterly along said centerline of Sand Creek, to the Westerly right of way line of State Highway No. 97 (Dalles-California Highway); thence South 02° 22' 40" West, along said Westerly right of way line, 2165.04 feet to a 5/8 inch iron pin; thence South 89° 42' 56" West 485.22 feet to a 5/8 inch iron pin on the West line of the E1/2 W1/2 of said Section 24; thence North 00° 07' 04" East 659.04 feet to the point of beginning.

2:

A tract of land situated in the E1/2 W1/2 of Section 24, Township 31 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the West line of the E1/2 W1/2 of said Section 24, said point marked by a 5/8 inch iron pin being South 00° 07' 04" West 659.04 feet from the C-W 1/16 corner of said Section 24; thence South 00° 07' 04" West along said West line, 671.12 feet to a 5/8 inch iron pin on the Northerly right of way line of Klamath County Road No. 3092 (Easement No. F 2992); thence South 81° 56' 23" East, along said Northerly right of way line, 460.50 feet to a 5/8 inch iron pin on the Westerly right of way of State Highway No. 97 (Dalles-California Highway); thence North 02° 22' 40" East along said Westerly right of way line, 738.73 feet to a 5/8 inch iron pin; thence South 89° 42' 56" West 485.22 feet to the point of beginning, with bearings based on survey No. 1706, as recorded in the office of the Klamath County Surveyor.

Tax Account No: 3107-02400-00400-000

Key No: 79364