| Page1 of2                  |
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| After recording return to: |
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2013-013471 Klamath County, Oregon

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Fee: \$42.00

## RESTRICTIVE EASEMENT & COVENANT Adjacent Property Well System (Adjacent Property Owners)

| The undersigned, being the legal owner(s) of record of all of the real property described in the deed instrument recorded in Klamath County, Oregon as: Mod-Bobbb.  Volume, Page or Official Record number referenced as Exhibit "A" and commonly known as Township South, Range DE East, Section Tay, Tax Lot(s) 1000 and, Exhibit "B" an individual and separate deed instrument recorded in Klamath County, Oregon as: Mad-Bobbb South, Range Official Record number and commonly known as Township South, Range DE East, Section Tay, Tax Lot(s) 1000 do hereby make the following deed declaration(s) for the above-described real properties, specifying that the declaration(s) shall constitute covenants to run with all of the land and shall be binding on all persons claiming under such land and that this declaration(s) shall be for the benefit of and limitation upon all future owners of said real properties. |
|--|
| 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 12-0418 the issuance of a shared domestic well. The legal description of the real properties, hereby and further referenced as Subject Parcels that are burdened by this Restrictive Covenant:   |
| 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 deed instruments as Exhibits "A" & "B" are hereby<br>restricted and are bound/joined together for such period as both properties are<br>served by a single domestic well or until such time a central water supply system<br>recognized by Klamath County and installation of service to one or both<br>properties is installed.   |
| (2) Subject wells shall not be put to any use which would be detrimental to state or<br>federal clean water law, the well system, or contrary to any law or administrative<br>rule (parties to this Covenant are advised to consult with the Oregon Water<br>Resources Department as to specific use and standards).   |
| (3) This covenant shall not be modified or terminated except by the express written<br>consent of the owners of the land at the time and the Klamath County Planning<br>Director, as hereafter provided.   |

(4) Upon installation of the shared well all parties agree to provide a Well Log to the Klamath County Planning Director or his/her designee within 90-days or such issuance period provided by state law.

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 the 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 or this approval/covenant.

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 <u>25</u> day of <u>November</u>   | , <b>20</b> _ <i>l3</i>                           |
|---|---|
| Owner of Record   | Owner of Record                                   |
| 1 Damian Lordell  |   |
| Owner of Record   | Owner of Record                                   |
| STATE OF OREGON ) ss.   |   |
| County of Klamath )   |   |
| Personally appeared the above names acknowledged the foregoing instrumer this day of North 20 | nt to be his/her voluntary act and deed before me |
| By Jenine Stuedli   |   |
|   | Como Sul  |
| OFFICIAL SEAL JENINE R. STUEDLI   | Notary Public for State of Oregon                 |
| NOTARY PUBLIC-OREGON COMMISSION NO. 455170 MY COMMISSION EXPIRES JANUARY 12, 2015()           | My Commission Expires: January 12,0015            |