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09/28/2015 09:54:56 AM

Fee: \$47.00

After recording return to:

Daniel and Helen Laibach

PO Box 51649 Huntington Rd #2406

La Pine, OR 97739

RESTRICTIVE COVENANT **Conditional Use Permit**

The undersigned, being the record owners of all of the real property described as follows; 1001 Fred Mahn Road 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 1001 in Township 23 South, Range 9 East, Section 13, 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 26 day of September, 2015.


Record Owner - Daniel Laibach


Record Owner - Helen Laibach

STATE OF OREGON

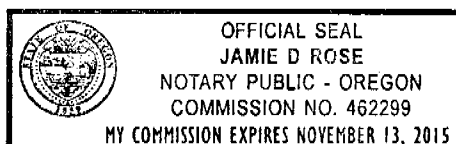
County of Klamath


) ss.

Deschutes

Personally appeared the above names Daniel Laibach and Helen Laibach and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 26 day of September, 2015.

By Daniel and Helen Laibach




Notary Public for State of Oregon
My Commission Expires: Nov 13, 2015

Note: A copy of the recorded instrument must be returned to Community Development before permits can be issued.
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Returned at Counter

**EXHIBIT A
LEGAL DESCRIPTION**

Property Legal Description:

That portion of the W 1/2 SE 1/4 NW 1/4 of Section 13, Township 23 South, Range 9 East, Willamette Meridian, Klamath County, Oregon, lying Southerly of Fred Mahn Road, EXCEPTING ANY PORTION thereof lying within the boundaries of Fred Mahn Road.

Tax Account No: 887903

Map/Tax Lot No: 2309131001