

# RECORDING COVER PAGE

PER ORS 205.234

PLEASE FILL OUT  
COMPLETE AND LEGIBLE

THIS COVER PAGE HAS BEEN PREPARED BY THE PERSON  
PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING.  
ANY ERRORS IN THIS COVER PAGE **DO NOT** AFFECT THE  
TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

2016-000029

Klamath County, Oregon



00180505201600000290030035

## AFTER RECORDING RETURN TO:

NAME AND ADDRESS OF THE PERSON AUTHORIZED TO RECEIVE THE  
INSTRUMENT AFTER RECORDING AS REQUIRED BY ORS 205.180(4)  
AND ORS 205.238.

01/05/2016 08:46:17 AM

Fee: \$52.00

LIGHTSPEED NETWORKS, INC. Attn: CONTRACTS MANAGER

921 SW WASHINGTON ST., STE. 370, PORTLAND, OR 97205

## 1. NAME OF THE TRANSACTION (S), DESCRIBED IN THE ATTACHED INSTRUMENT(S) AND REQUIRED BY ORS 205.234(A).

NOTE: Transaction as defined by ORS 205.010 "means any action required or permitted by state law or rule federal law or regulation to be recorded including, but not limited to, any transfer encumbrance or release affecting title to or an interest in real property".

RESTRICTIVE COVENANT (CONDITIONAL use PERMIT)

## 2. Grantor/Direct (s) as described in ORS 205.160.

WRIGHT, HEATH and HEATHER

## 3. Grantee/Indirect (s) as described in ORS 205.160.

KLAMATH COUNTY

## 4. TRUE AND ACTUAL CONSIDERATION PAID for instruments conveying or contracting to convey fee title to any real estate and all memoranda of such instruments, reference ORS 93.030.

\$0

## 5. UNTIL A CHANGE IS REQUESTED, All Tax Statements shall be sent to the following name and address: for instruments conveying or contracting to convey fee title to any real estate reference ORS 93.260

HEATH WRIGHT 30500 HWY 50 MERRILL, OR 97633

## 6. SATISFACTION OF ORDER OR WARRANT ORS 205.234 (1) (f).

FULL \_\_\_\_\_ PARTIAL \_\_\_\_\_

## 7. LIEN DOCUMENTS: ORS 205.234 (1) (f). Amount of Lien \$ \_\_\_\_\_

After recording return to:  
**LightSpeed Networks, Inc.**  
**Attn: Contracts Management**  
**921 SW Washington Street, Suite 370**  
**Portland, OR 97205**

**RESTRICTIVE COVENANT**  
**Conditional Use Permit**

The undersigned, being the record owners of all of the real property described as follows; 30500 Hwy 50, Malin, Oregon 97632 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 CUP 22-15 to construction a Point of Presence Utility Shelter on property designated by the Klamath County Assessor's Office as Tax Lot 1700 in Township 41 South, Range 12 East, Section 16, 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 23 day of November, 2015.

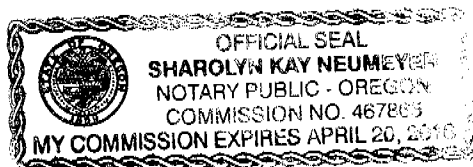
Record Owner

Record Owner

STATE OF OREGON )  
 ) ss.  
County of Klamath )

Personally appeared the above names Heath Wright and Heather Wright and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 23 day of November, 2015.

By \_\_\_\_\_



Sharolyn Kay Neumeier  
Notary Public for State of Oregon  
My Commission Expires: April 20, 2016

**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

A portion of Section 16, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon more particularly described as follows: Beginning at the East quarter corner of Section 16; thence North 89°46' West 1331.37 feet to a point; thence South 0°14' West 30.0 feet to a monument on the South boundary of the Merrill-Malin State Highway and the West boundary of First Street in Malin, Oregon; thence North 89°46' West 1360.69 feet to a 5/8<sup>th</sup> inch iron pin on the South boundary of the Merrill-Malin State Highway, which point is the true beginning of this description; thence South 0°53' East 418.58 feet to a 5/8<sup>th</sup> inch iron pin; thence North 89°43'05" West 435.14 feet to a 5/8<sup>th</sup> inch iron pin; thence North 1°35'45" East 418.24 feet to a 5/8<sup>th</sup> inch iron pin; thence South 89°46' East 417.03 feet along the South boundary of the Merrill-Malin State Highway to the true point of beginning of this description.