

After recording return to:

Evelyn Hayes

00190821201600085750040042

08/12/2016 03:13:14 PM

Fee: \$57.00

Returned at Counter

RESTRICTIVE EASEMENT & COVENANT Adjacent Property Sanitary (Septic) System (Same Owners)

This restrictive covenant is in consideration for site plan approval by Klamath County, Oregon for an On-Site Sanitary System Pursuant to Oregon Administrative Rules, 340-071-130(11)(b) and 340-071-150(4)(a) on property described as Assessor's Parcel Number(s) (APN) R-3907-02500-0400 & R-3907-02500-0400

The legal description of the real properties is contained in:

Attached Exhibit 'A' & Exhibit 'B'

The common description of the real property is further referenced by the Site Plan Map, and described as:

Attached Exhibit 'C'

The undersigned, being the record owner(s) of all of the real property described above and further identified by "Exhibits A, B, & C" 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.

I (We), Evelyn A. Hayes, the undersigned 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 are restricted from independent or individual sale and are joined together for such period as the On-Site Sanitary System placement permit is in effect.
- (2) Subject Parcels shall not be put to any use which would be detrimental to the permitted system or contrary to any law (including an administrative rule) applicable to a permitted system.
- (3) This covenant shall not be modified or terminated except by the express written consent of the owners of the land at the time, the State of Oregon and/or by the State's Agent Klamath County Community Development Department, as hereafter provided.

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

Revised 11/15

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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 State of Oregon and/or by the State's Agent Klamath County Community Development Department; and, provide irrevocable permission to enter and inspect, including by excavation, the on-site sewage disposal system and all components.

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 12 day of AUGUST, 2016.

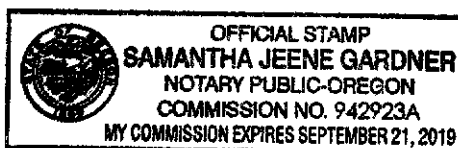
Evelyn Hayes
Owner of Record

Owner of Record

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Evelyn Hayes and
acknowledged the foregoing instrument to be his her voluntary act and deed before me
this 12 day of August, 2016.

By Samantha Gardner
SAMANTHA GARDNER



Samantha Gardner
Notary Public for State of Oregon
My Commission Expires: Sept. 21, 2019

EXHIBIT A

R-3907-025C0-04100-000
KLAMATH RIVER ACRES 1ST ADDITION,
BLOCK 15, LOT 21

EXHIBIT B

R-3907-025C0-04000-000
KLAMATH RIVER ACRES 1ST ADDITION,
BLOCK 15, LOT 20

EXHIBIT C

Evelyn Hayes
17411 Freight Rd Ln
Klamath Falls, Or.
R-3907-02500-04100-0
R-3907-02500-04200

