

Returned at Counter
Richard Faircllo

2016-010719

Klamath County, Oregon



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10/10/2016 01:18:13 PM

Fee: \$47.00

**RESTRICTIVE COVENANT
Accessory Structure Building Permit**

The undersigned, being the record owners of all of the real property described as follows, and further identified by "Exhibit A" attached hereto, do hereby make the following restrictive covenant for the property, specifying that the covenant shall run with the land and shall be binding on all persons claiming such land, and that these restrictions shall be for the benefit of and limitation on all future owners of said real property.

The following restrictive covenants hereafter bind the subject property:

"The accessory structure located on Property No. 1 as described on attached **Exhibit A** is permitted in conjunction with the primary use located on Property No. 2 as described on attached **Exhibit A**. Said structure may be used for purposes customarily accessory and subordinate to the primary use of the above referenced parcel."

"Both Property No. 1 and Property No. 2, as described in attached **Exhibit A**, shall not be transferred, conveyed, leased, mortgaged or otherwise liened separately from each other but only to identical transferees, mortgagees or lien claimants until such time as either a lawful primary use is constructed on the property where the named accessory use is located, OR the accessory use is removed."

The 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 contained herein by judicial or administrative proceeding. This covenant is made pursuant to the provisions of the Klamath County Land Development Code.

Dated this 10th day of October, 2016.

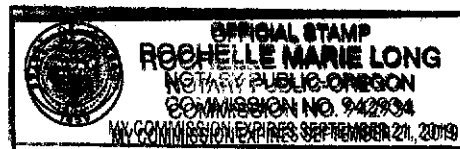
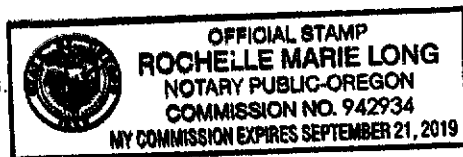
[Signature]
Record Owner

Record Owner

[Signature]
Record Owner

Record Owner

STATE OF OREGON)
County of Klamath) ss.



Personally appeared the above named Richard S. Faircllo & C. Sharon Faircllo and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 10th day of October, 2016
By Richard S. Faircllo and C. Sharon Faircllo

[Signature]
Notary Public for State of Oregon
My Commission Expires: September 21, 2019



Note: A copy of the recorded covenant must be returned to Planning Department before permits can be issued.

EXHIBIT A

(Property No. 1 legal description)

Part of Government Lots 10 and 15, Section 7, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point that is on the Westerly right of way of the old Dalles-California Highway and which point is North 99.66 feet from the intersection of the Westerly right of way line of said Highway and the North line of Government Lot 15; thence South along said right of way line 100 feet; thence Westerly at right angles to said Highway to the East bank of Upper Klamath Lake, also known as Agency Lake; thence Northerly along said Lake to its intersection with a line that is parallel to and 99.66 feet North of the North line of Government Lot 15; thence East along said line to the Westerly right of way line of aforesaid Highway and the true point of beginning.

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(Property No. 2 legal description)

A portion of Government Lot 15, Section 7, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the intersection of the Westerly right of way line of State Highway 427 and the Northerly line of Government Lot 15; thence Southerly along the Westerly line of said Highway .34 feet to the true point of beginning; thence continuing South along the Westerly line of said Highway 150 feet; thence West and parallel with the North line of Government Lot 15 to the Easterly line of Agency Lake; thence Northerly along the Easterly line of Agency Lake to a point that is due West of the true point of beginning; thence East 470 feet more or less to the true point of beginning.

R-3507-007CA-00200

