

After recording return to:



00194869201600119420040044

11/08/2016 03:09:06 PM

Fee: \$57.00

Donna Howell
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-3611-01900-00400 & R-3611-01900-00500

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), JAMES + DONNA HOWELL, 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.

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 8 day of November, 2011.

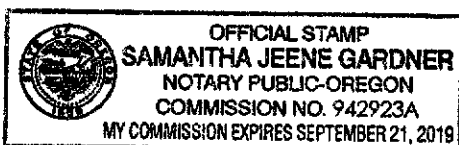
James Howell
Owner of Record

Donna Howell
Owner of Record

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names James Howell & Donna Howell and
acknowledged the foregoing instrument to be his/her voluntary act and deed before me
this 8th day of November, 2011 their

By Samantha Gardner



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

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

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Klamath, State of Oregon, described as follows:

Government Lots 4, ~~and 12~~ in Section 19, Township 36 South, Range 11 East of the Willamette meridian, Klamath County, Oregon. TOGETHER WITH a 60 foot non-exclusive easement for ingress and egress along the Easterly line of the W1/2 of the W1/2 of Section 19, Township 36 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

EXHIBIT B

LEGAL DESCRIPTION: Real property in the County of Klamath, State of Oregon, described as follows:

Government Lots ~~5 and 12~~ in Section 19, Township 36 South, Range 11 East of the Willamette meridian, Klamath County, Oregon. TOGETHER WITH a 60 foot non-exclusive easement for ingress and egress along the Easterly line of the W1/2 of the W1/2 of Section 19, Township 36 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

