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05/11/2018 08:43:10 AM

Fee: \$62.00

After recording return to:

George A. Valdespino II
65 Pine Ave #103
Long Beach, CA 90802

RESTRICTIVE COVENANT
Fire Hazard Area Siting Standards

In consideration of approval by Klamath County, Oregon of a land use permit, the undersigned,

George A. Valdespino II being the owners of record of all of the
real property described as follows; R-3610 - 010 - 10 - 0030 - 000

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.

1. All new development shall comply with the following:

- A. Provide a dependable supply of water adequate for normal daily consumption and peak emergency needs from a source authorized in accordance with Oregon Administrative Rule (OAR) and that any surface water used is not from a Class II stream.
- B. Provide for and make available a permanent source of water with a capacity of 4000 gallons or more. If a stream, pond, or lake exists within 500 feet of the homesite a road access shall be provided to within 15 feet of the water's edge. Access to water shall be not less than 15 feet wide and shall be an improved and maintained surface with an improved vehicle turning area of sufficient size to accommodate local fire protection equipment.
- C. Where residences are supplied with individual water systems without a permanent source of water for fire suppression (e.g., fire hydrants), the following standards shall apply:
 - a. At least one 1 inch hydrant standpipe shall be provided at least 50 feet from a building and no greater distance than 10 feet from the driveway with adequate protection from freezing weather.
 - b. Electrical service to a well pump shall not pass through, under, or onto any non-well protecting structure.

2. Road access shall meet the following minimum standards:

- A. Maximum grade shall not exceed 10 percent.
- B. Road surface must be a minimum of 20 feet wide with an all weather surface capable of supporting a fire apparatus at 60,000 lbs minimum or as prescribed by the Fire Marshall.

- C. The entire legal access way shall be maintained, at all times, as a fuel break free of brush and other flammable material.
 - D. The length of cul-de-sacs shall not exceed 700 feet and have a right-of-way with a 50 foot radius with an improved vehicle turning area not less than 80 feet in diameter.
 - E. Installation of bridges or culverts shall have a minimum load limit of 40,000 lbs (20 ton) and not be narrower than the improved travel surface serving each end.
3. All structures shall be constructed to the following standards:
- A. Roofing materials shall carry a minimum of Class B rating. In areas of extreme fire hazard rating, Class A rated roof shall be required.
 - B. The siting of a manufactured home shall require fully skirting from the floor-line to the ground-line with vents or openings screened with corrosion-resistant mesh not greater than ¼ inch size.
 - C. All chimneys shall have spark arrest installed with nonflammable, corrosive-resistant material having opening in the mesh no larger than ¼ inch.
4. Property fuel breaks, landscaping and maintenance may be planned in accordance with the following minimum standards:
- A. A Primary Fuel Break shall be created and maintained no less than 30 feet in width extending from the wall line of any structure. Vegetation shall be less than 3 inches high, at all times. All trees within the primary break shall be thinned to 15 feet between tree crowns, and dead limbs near or over-hanging any structure shall be removed at all times.
 - B. A Secondary Fuel Break shall be created and maintained no less than 70 feet wide on the down-slope side of a residence and 35 feet on all other sides. Extend the fuel break to 100 feet on the downhill side where steep slopes or dense vegetation are present. Live trees and shrubbery shall be pruned to reduce the possibility of fire reaching roofs of structures or the crowns of trees. Low-growing plants and grasses shall be maintained to prevent the buildup of flammable fuels.
 - C. Fences shall be constructed of nonflammable materials and maintained to eliminate the buildup of flammable refuse.
5. Home identification signs shall be posted at the nearest county, state or federal road serving the residence; and, constructed of nonflammable materials with letters at least 3 inches high, ½ inch line width; and, with a reflective color that contrasts sharply with the background of both the sign itself and the surrounding vegetation.

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 Planning 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.

(See
attach)

Dated this _____ day of _____, 20 ____.

Record Owner Sign

Record Owner Sign

Record Owner Sign

Record Owner Sign

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above named persons and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this _____ day of _____, 20 ____.

By _____.

Notary Public for State of Oregon

My Commission Expires:

Note: A copy of the recorded instrument must be returned to Klamath County Planning Department before development permits can be issued.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

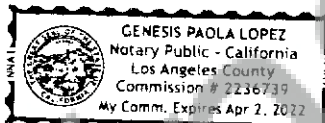
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of Los Angeles)
 On May 3rd 2014 before me, Genesis Paola Lopez Notary Public
Date Here Insert Name and Title of the Officer
 personally appeared George Valdespino
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land situated in the SE1/4 of Section 10, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Commencing at a point 1650 feet West of the quarter section corner common to Sections 10 and 11, Township 36 South, Range 10 East of the Willamette Meridian; thence due South a distance of 1740 feet; thence West a distance of 990 feet, more or less, to the West line of said SE1/4 of said Section 10; thence North along the West line of said SE1/4 1740 feet to the center of said Section 10; thence East along the North line of said SE1/4 of said Section 10, 990 feet, more or less to the place of beginning. EXCEPTING THEREFROM any portion lying Northeasterly of the Sprague River.