

After recording return to:



00233568201800152270020020

12/21/2018 10:01:48 AM

Fee: \$87.00

### RESTRICTIVE COVENANT Conditional Use Permit

The undersigned, being the record owners of all of the real property described as follows:  
Map Tax Lot # R-349-D13A0-00500  
 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 to construct a single family dwelling on property designated by the Klamath County Assessor's Office as Tax Lot 500 in Township 39 South, Range 9 East, Section 13, 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 17 day of December, 2018.

Record Owner

DAVID ALLEN DOTSON

Record Owner

GENA DOTSON

STATE OF Oregon )  
 ) ss.  
 County of Klamath )

Personally appeared the above names David Dotson Gena Dotson and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 17th day of December, 2018.



Sandra Coffman  
 Notary Public for State of Oregon  
 My Commission Expires: 11/22/2019

Please return a copy of the recorded covenant to the Klamath County Planning Department.

**EXHIBIT A**  
**LEGAL DESCRIPTION**

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A tract of land situated in the NE1/4, Section 13, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the Southerly line of the property described in Deed Volume 244 Page 51, as recorded in the Klamath County Deed records, said point being South 00°12'57" West 1059.29 feet and South 72°58'03" West 256.42 feet from the Northeast corner of said Section 13; thence along the Westerly line of the Enterprise Irrigation District ditch, South 08°50'27" East 119.67 feet to a 5/8 inch iron pin, along the arc of a curve to the left (radius is 300.00 feet, central angle is 33°10'47") 173.73 feet to a 5/8 inch iron pin, South 42°01'14" East 173.52 feet to a 5/8 inch iron pin on the Westerly right of way line of State Highway #39; thence along said right of way South 00°09'44" West 600.00 feet to a 5/8 inch iron pin; thence North 89°50'16" West 397.50 feet to a 5/8 inch iron pin; thence North 28°36'17" West 919.58 feet to a 5/8 inch iron pin on the Southerly line of the property described in said Deed Volume 244 Page 51; thence along said Southerly line North 72°58'03" East 488.25 feet to a 5/8 inch iron pin on the Northwest corner of the Pacific Power and Light Company transformer property; thence bounding said property, South 00°11'43" West 226.84 feet, South 89°48'17" East 150.00 feet, North 00°11'43" East 273.35 feet to a 5/8 inch iron pin on the Southerly line of the property described in Deed Volume 244 Page 51; thence North 72°58'03" East 15.00 feet to the point of beginning.