

Pat Withers  
Returned at Counter

2020-003147  
Klamath County, Oregon

**RESTRICTIVE COVENANT  
Accessory Structure Building Permit**



03/13/2020 09:50:16 AM

Fee: \$92.0

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 27 day of February, 2020.

Dale Withers  
Record Owner

Pat Withers  
Record Owner

Dale Withers  
Record Owner

Pat Withers  
Record Owner

STATE OF OREGON     )  
                                  ) ss.  
County of Klamath    )

Personally appeared the above names \_\_\_\_\_ and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By \_\_\_\_\_

*See California Acknowledgment*  
*2*  
*2.28.2020*

\_\_\_\_\_  
Notary Public for State of Oregon  
My Commission Expires:

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

## ACKNOWLEDGMENT

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 Napa )

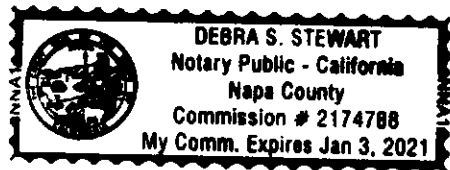
On February 28, 2020 before me, Debra S. Stewart, Notary Public,  
(insert name and title of the officer)

personally appeared Dale Withers and Pat Withers,  
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 Debra S. Stewart (Seal)



## **EXHIBIT "A"**

**Property No. 1** CODE 78 MAP 3606-010CA 00600

Lot 16, ORIGINAL, TRACT , FRONTIER TRACKS, in the County of Klamath, State of Oregon.

Code 8 Map 3606-10CA TL 600

**Property No. 2** CODE 78 MAP 3606-010DB 1100

**PARCEL 1:**

A portion of the NW 1/4 SE 1/4 of Section 10, Township 36 South, Range 6 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at the center of said Section 10; thence Southerly along the North-South center line of said section a distance of 300 feet to the true point of beginning; thence continuing South along said center section line a distance of 100 feet to a point; thence Easterly parallel to the East-West center line of said Section 10 a distance of 100 feet; thence Northerly parallel to said North-south center line a distance of 100 feet to a point; thence Westerly parallel to said East-West center line a distance of 100 feet, more or less, to the point of beginning.

CODE 8 MAP 3606-10DB TL 1000

**PARCEL 2:**

Beginning at a point South 00 degrees 37' West along the North-South center section line a distance of 400 feet from the center of Section 10, Township 36 South, Range 6 East of the Willamette Meridian; thence continuing along said section line a distance of 65 feet to a point; thence North 89 degrees 17' East parallel to the East-West center section line a distance of 100 feet to a point; thence North 00 degrees 37' East, parallel to said North-South section line a distance of 65 feet to a point; thence South 89 degrees 17' West parallel to said East-West center section line a distance of 100 feet, more or less to the point of beginning, in the County of Klamath, State of Oregon.

CODE 78 MAP 3606-10DB TL 1100