



09/17/2020 11:25:07 AM

Fee: \$87.00

**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 16 day of September, 2020.

Michael Lee Weaver
Record Owner

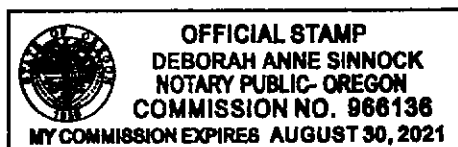
Record Owner

Record Owner

Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Michael Lee Weaver and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 16th day of Sept, 2020
By Deborah Anne Sinnock



Deborah Anne Sinnock
Notary Public for State of Oregon
My Commission Expires: 8-30-21

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)

ALSO Beginning at a point on the Northeasterly right of way line of Secondary Highway No. 421, which lies South 89°57' East along the section line common to Sections 23 and 26, Township 38 South, Range 8 East of the Willamette Meridian, a distance of 83.98 feet, and North 44°21' West along the Northeasterly right of way line of Secondary Highway 421, a distance of 80.8 feet from the most Southeasterly corner of Lot 37 of LAKEWOOD HEIGHTS, and running thence; continuing along the Northeasterly right of way line of Secondary Highway No. 421 on the arc of a 4°52'40" curve to the left a distance of 131.0 feet; thence on the arc of a 4°52'40" curve to the left (the long chord of this curve bears North 49°30' West a distance of 211.1 feet) a distance of 60 feet to the true point of beginning of the tract herein described; thence from the said true point of beginning, continuing in a Northwesterly direction along the Northerly line of Secondary Highway No. 421 to the point of intersection of said highway with the Easterly line of Lot 18, Marina Park; thence along the Easterly line of said Lot Northeasterly to the water line of Upper Klamath Lake; thence along the shoreline of said Lake Southeasterly to a point which is North 38°40' East from the point of beginning and which point is the Northwesterly corner of that tract described in Volume 269 at Page 176, Deed records of Klamath County, Oregon; thence South 38°40' West to the point of beginning, in the County of Klamath, State of Oregon.

(Property No. 2 legal description)

Beginning at an iron pin on the Northeasterly right of way line of Secondary Highway No. 421, said point being South 89° 57' East a distance of 83.98 feet and North 44° 21' West a distance of 80.0 feet from the Southeast corner of Lot 37 of Lakewood Heights, in Klamath County, Oregon, said point being North 44 ° 21' West a distance of 58.8 feet from the beginning point described in Volume 258, page 656, Klamath County Deed Records; thence on the arc of a 4 degree 52' 40" curve to the left a distance of 131 feet to an iron pin (the long chord of this curve bears North 49° 30' West a distance of 211.1 feet); thence North 38° 40' East to the Westerly shore line of Upper Klamath Lake; thence following said shore line in a Southeasterly direction to a point that bears North 38 ° 40' East from the point of beginning; thence South 38° 40' West to the point of beginning.

Also, a tract of land located in Lot 5, Section 23, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, being a portion of that tract of land described in Volume 258, page 656, Klamath County Deed Records, and more particularly described as follows: Beginning at an iron pin on the Northeasterly right of way line of Secondary Highway 421, said point being North 44° 21' West a distance of 5.8 feet, and thence on the arc of a 4° 52' 40" curve to the left a distance of 131.0 feet from the beginning point described in Volume 258, page 656, Klamath County Deed Records; thence on the arc of a 4 degree 52' 40" curve to the left (the long chord of this curve bears North 49° 30' West a distance of 211.1 feet) a distance of 60.0 feet to an iron pin located on the Northeasterly right of way line of secondary highway 421; thence North 38 ° 40' East to the Westerly shore of Upper Klamath Lake; thence following said shore line in a Southeasterly direction to a point that bears North 38° 40' East from the point of beginning; thence South 38° 40' West to the point of beginning.