



00279122202100067710050055

04/30/2021 11:05:08 AM

Fee: \$102.00

After recording return to:

Barry Ohling  
P.O. Box 1126  
Crescent Lake, OR

**RESTRICTIVE EASEMENT COVENANT**  
**Adjacent Property Sanitary (Septic) System (Same Owner)**

This restrictive covenant is in consideration of 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 Parcel Number(s) (APN) 147317 & 147727

The legal descriptions of the subject properties are contained in: **Exhibits A and B**

A site plan for the subject properties is contained in: **Exhibit C**

The undersigned, being the record owner(s) of all of the real property described above and further identified by "Exhibits A and B" 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), Barry & Tina Ohling and Frank Caputo,  
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 is in place.
- (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 and the Klamath County Planning Department.

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

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.

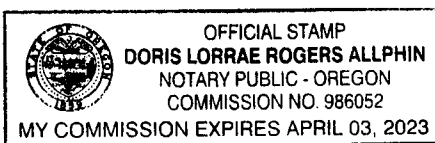
Dated this 26 day of April, 2021.

[Signature]  
Land Owner of Record

[Signature]  
Land Owner of Record

STATE OF OREGON  
County of Klamath

This instrument was acknowledged before me on April 26, 2021  
by landowner(s) Barry Ohling and Tina Ohling



Doris L. Allphin  
Notary Public for State of Oregon

My Commission Expires: 4-3-23

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

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 26 day of APRIL, 2021.

Frank Caputo  
Land Owner of Record

\_\_\_\_\_  
Land Owner of Record

STATE OF OREGON  
County of Klamath

This instrument was acknowledged before me on April 16<sup>th</sup>, 2021  
by landowner(s) Frank Caputo



[Signature]  
Notary Public for State of Oregon  
My Commission Expires: 1/22/23

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

**EXHIBIT A**  
**(Legal Description)**

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Lot 4 in Block 4 of Tract No. 1052 Crescent Pines, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

**EXHIBIT B**  
**(Legal Description)**

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ALSO beginning at the Southeast corner of Lot 4, Block 4 of Tract No. 1052, Crescent Pines, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; thence North 89 degrees 41 minutes 20 seconds West 180.85 feet to the Southwest corner of said Lot 4; thence South 0 degrees 18 minutes 40 seconds West 200 feet, more or less, to a point on a line 5.0 feet Northerly of the North bank of Crescent Creek; thence Northeasterly along a line 5.0 feet Northerly of said bank to its intersection with the East line of Section 18, Township 24 South, Range 7, E.W.M.; thence North 1 degree 03 minutes 43 seconds East 70 feet, more or less, to the point of beginning.

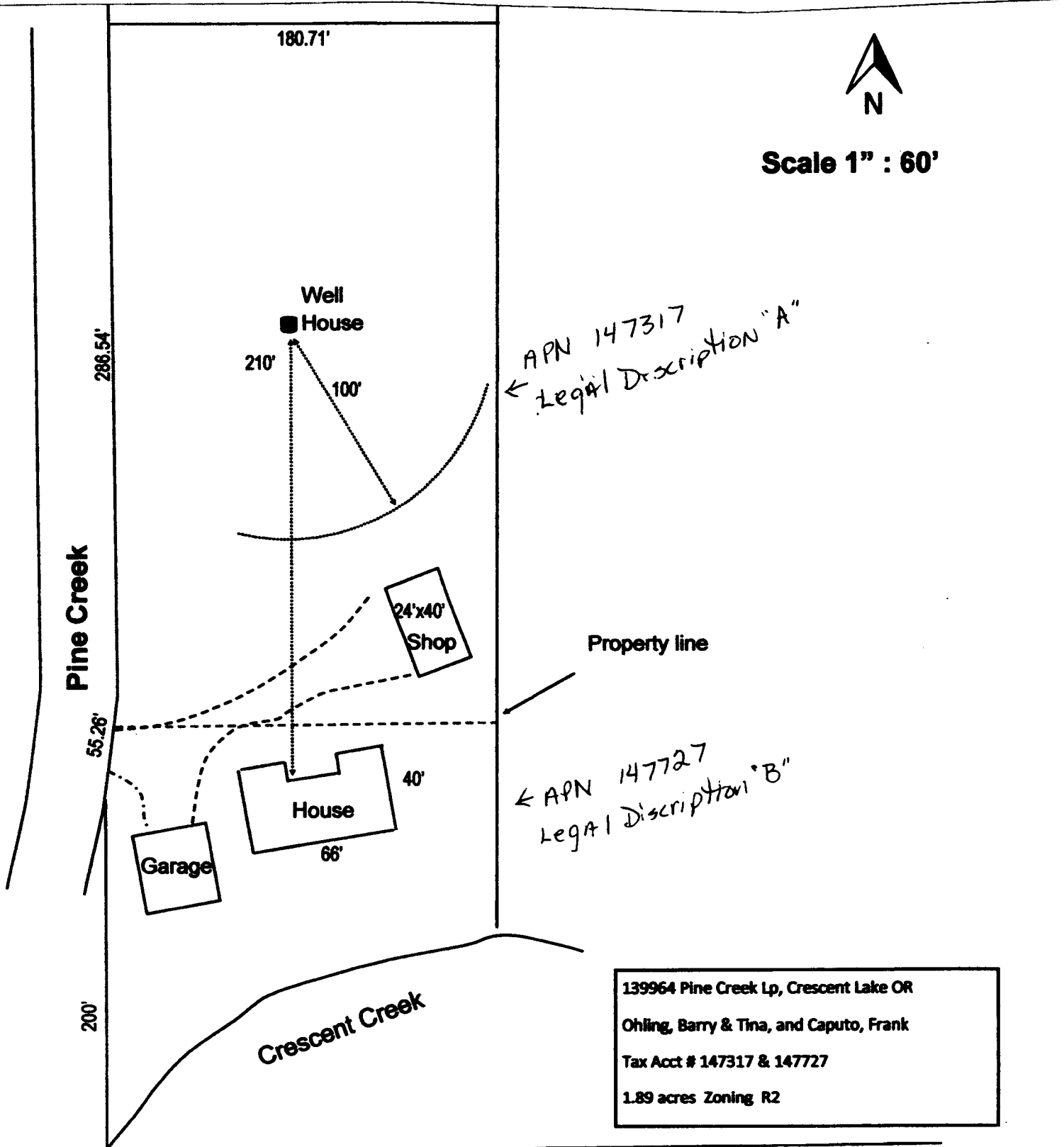
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**EXHIBIT C  
(Site Plan)**



**Scale 1" : 60'**



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