

After recording return to:



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07/07/2021 02:48:37 PM

Fee: \$92.00

RESTRICTIVE COVENANT Conditional Use Permit

The undersigned, being the record owners of all of the real property described as follows:

Michael B + Pamela K. Pruner
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 MUSTIER in Township 39 South, Range RD 8 E East, Section 31, 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.

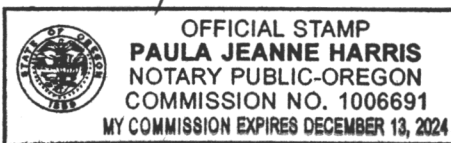
Dated this 7th day of July, 2021.

[Signature]
Record Owner

[Signature]
Record Owner

STATE OF Oregon)
County of Klamath) ss.

Personally appeared the above names Michael & Pamela Pruner and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 7th day of July, 2021.



[Signature]
Notary Public for State of Oregon
My Commission Expires: Dec 13, 2024

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

EXHIBIT "A"
LEGAL DESCRIPTION

Unsurveyed Parcel 1 of Land Partition 11-13 Situated in the S1/2 of Section 31 and the SW1/4 of the SW1/4 of Section 32, Township 39 South, Range 08 East of the Willamette Meridian, The N1/2 Section 6 and the NW1/4 of the NW1/4 of Section 5, Township 40 South, Range 08 East of the Willamette Meridian, Klamath County, Oregon and recorded March 20, 2014 as Instrument No. 2014-002378, Klamath County Records.

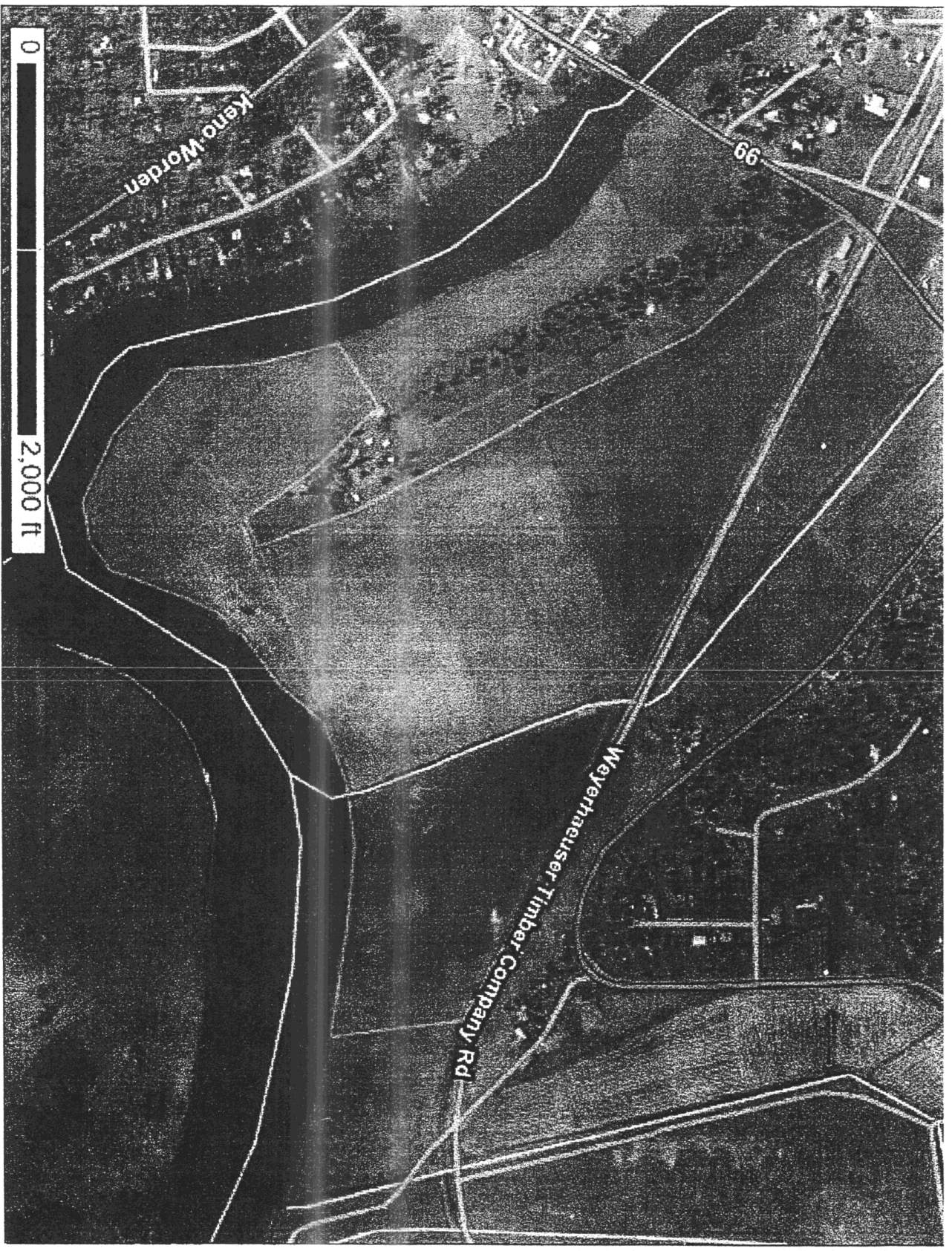
Excepting therefrom the following described property adjusted by Property Line Adjustment 03-16 as approved by the Klamath County Planning Department on February 24th, 2016:

Commencing at the South 1/4 corner of said Section 31, T39S, R08E of the Willamette Meridian; thence along the south line of said Section 31 South 89°00'18" East, 467.00 feet to the west line of said Parcel 1 of Land Partition 11-13; thence along the said west line North 22°14'25" West, 635.49 feet and South 83°25'30" West, 80.32 feet to the True Point of Beginning of this exception description; thence continuing along the west line of said Parcel 1, South 83°25'30" West, 63.64 feet; thence North 18°26'35" West, 270.63 feet; thence along a 530.00 foot radius curve to the left, through a central angle of 31°19'19" an arc distance of 289.73 feet (the long chord of which bears North 34°06'14" West, 286.14 feet); thence North 49°45'53" West, 99.15 feet; thence along a 470.00 foot radius curve to the right, through a central angle of 09°10'47" an arc distance of 75.30 feet (the long chord of which bears North 45°10'30" West, 75.22 feet); thence North 40°35'07" West, 424.24 feet; thence along a 130.00 foot radius curve to the left, through a central angle of 113°55'43" an arc distance of 258.50 feet (the long chord of which bears South 82°27'02" West, 217.97 feet); thence South 25°29'11" West, 90.07 feet; thence along a 70.00 foot radius curve to the right, through a central angle of 78°26'13" an arc distance of 95.83 feet (the long chord of which bears South 64°42'17" West, 88.52 feet); thence along a 20.00 foot radius curve to the right, through a central angle of 108°10'56" an arc distance of 37.76 feet (the long chord of which bears North 21°59'08" West, 32.40 feet) to the East line of State Highway 66; thence along the east line of State Highway 66 North 32°05'58" East, 315.67 feet; thence along a 1392.40 foot radius curve to the right, through a central angle of 02°54'22" an arc distance of 70.63 feet (the long chord of which bears North 33°33'09" East, 70.62 feet); thence leaving said right of way of State Highway 66 South 48°12'57" East, 308.01 feet; thence South 44°38'53" East, 204.87 feet; thence South 38°13'04" East, 152.86 feet; thence South 36°30'40" East, 328.26 feet; thence South 30°42'53" East, 118.78 feet; thence South 23°41'17" East, 324.45 feet to the True Point of Beginning.

Also including thereto the following described property adjusted by Property Line Adjustment 03-16 as approved by the Klamath County Planning Department on February 24th, 2016:

Commencing at the South 1/4 corner of said Section 31, T39S, R08E of the Willamette Meridian; thence along the south line of said Section 31 South 89°00'18" East, 467.00 feet to the west line of said Parcel 1 of Land Partition 11-13; thence along the said west line North 22°14'25" West, 61.81 feet to the True Point of Beginning of this inclusion description; thence continuing along the west line of said Parcel 1, North 22°14'25" West, 573.68 feet; thence South 83°25'30" West, 80.32 feet; thence leaving said west line of Parcel 1 South 24°01'01" East, 392.86 feet, thence South 40°03'37" East, 212.91 feet to the True Point of Beginning.

Basis of Bearings is per Land Partition 11-13, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.



February 5, 2021