

2022-003212

Klamath County, Oregon



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03/16/2022 09:36:16 AM

Fee: \$102.00

After recording return to:

Justina & Taylor Evans

RESTRICTIVE EASEMENT & COVENANT

Adjacent Property Sanitary (Septic) System (Same Owners)

Pursuant to Oregon Administrative Rules, 340-071-130(11)(b) and 340-071-150(4)(a) and in consideration for approval by Klamath County, Oregon and the issuance of an On-Site Sanitary System placement permit on property described as:

Township _____ South, Range _____ East W.M., Section _____

Tax Lots 2100 and 2200.

Assessor Parcel Numbers (APN) _____ and _____.

The legal description of the real properties, hereby and further referenced as Subject Parcels that are burdened by this Restrictive Covenant:

See Attached Exhibit 'A' & Exhibit 'B'

The common description of the real property, hereby and further referenced as Site Plan Map, and described as:

See Attached Exhibit 'C'

The undersigned, being the record owner(s) of all of the real property described above and further identified by "Exhibits A, B. & C" 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), Justina & Taylor Evans, 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 placement permit is in effect.
- (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, the State of Oregon and/or by the State's Agent Klamath County Community Development Department, as hereafter provided.

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

Revised 8/2021

I (We), further agree that failure to comply with any provisions of this covenant shall constitute a violation of this covenant. To facilitate the enforcement of this covenant, any violation of this covenant shall constitute a nuisance and may be enjoined, abated or removed by State of Oregon and/or by the State's Agent Klamath County Community Development Department; and, provide irrevocable permission to enter and inspect, including by excavation, the on-site sewage disposal system and all components.

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 16th day of March, 2022.

Taylor Evans
Owner of Record

Justin Evans
Owner of Record

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Taylor Evans & Justin Evans and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 16th day of March, 2022.

By Lisa M Kessler.



Lisa M. Kessler
Notary Public for State of Oregon

My Commission Expires: December 19, 2022

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1

A tract of land situated in Government Lot 4 in the Southeast 1/4 Southeast 1/4 of Section 16, Township 33 South, Range 7 1/2 East of the Willamette Meridian Klamath County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of Lot 4, Section 16, Township 33 South, Range 7 1/2 East of the Willamette Meridian; thence Northwesterly along the boundary line of said lot 4, 150 feet; thence West to the center or middle of water ditch 175 feet, more or less; thence Southwesterly along the center or middle of said water ditch to the center of the county road, 150 feet; more or less; thence East to the place of beginning. EXCEPTING THEREFROM that tract measuring 50 feet by 100 feet previously conveyed by Guss A. Page and Opal G. page, his wife, to William A. Page, described as follows:

Beginning at a point 150 feet Northwesterly from the Southeast corner of Lot 4, Section 16, Township 33 South, Range 7 1/2 East of the Willamette Meridian, said point being on the East boundary line of said Lot; thence West 100 feet; thence South and at right angles 50 feet; thence East to the East boundary line of said lot, 100 feet; thence Northwesterly along the said boundary line of said lot, 50 feet to the place of beginning.

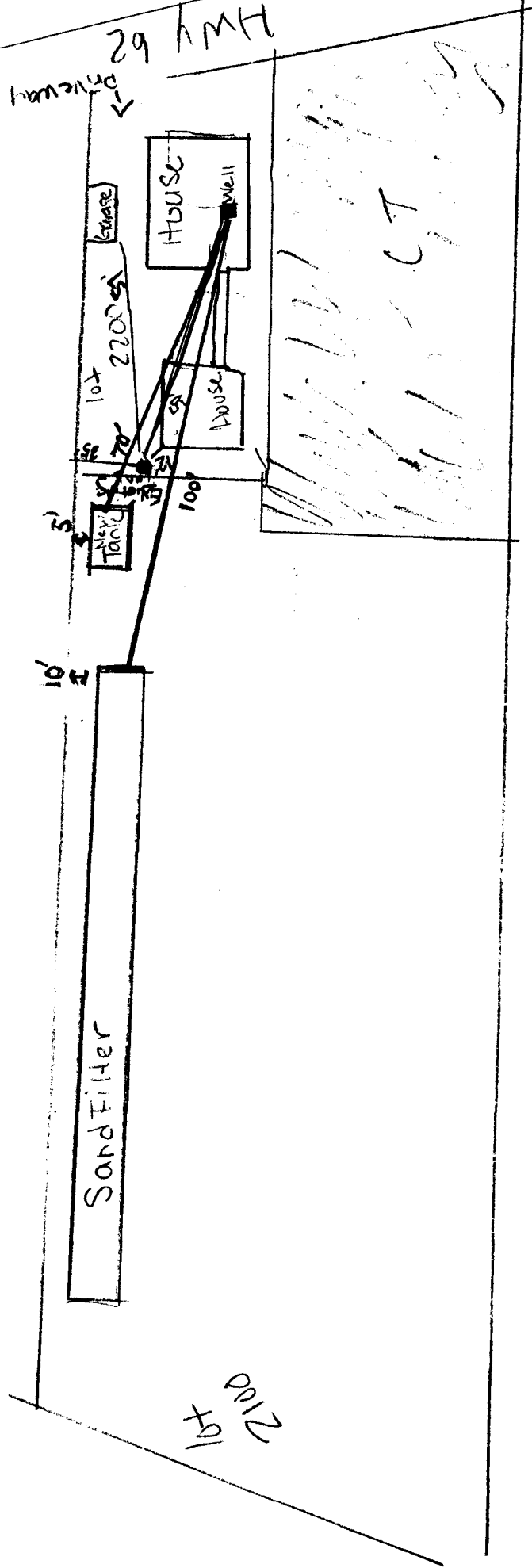
Also EXCEPTING THEREFROM: A tract of land situated in Government Lot 4 in the Southeast 1/4 of Southeast 1/4 of Section 16, Township 33 South, Range 7 1/2 East of the Willamette Meridian. Described as follows: Beginning at the intersection of the North line of "A" Street and the West line of Reserve Street; thence Northwesterly along the West line of Reserve Street 68 feet more or less to the Southeast corner of a tract of land conveyed by deed recorded December 5, 1927 in Volume 79, page 196; thence West along the South line of said deed and its extension 125 feet; thence South at right angles to the North line of "A" Street; thence East along said North line to the point of beginning.

PARCEL 2

A tract of land situated in Government Lot 4 in the Southeast 1/4 Southeast 1/4 of Section 14, Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon, more particularly as follows:

Beginning at a point 150 feet Northwesterly from the Southeast corner of Lot 4 of Section 16, Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon, said point being on the East boundary line of said lot; thence West 100 feet; thence South and at right angles 50 feet; thence East to the East boundary line of said lot, 100 feet; thence Northwesterly along the said boundary line of said lot, 50 feet to the place of beginning.

Exhibit C



Nicholson Rd