

After recording return to:



00304912202200101360020024

# RESTRICTIVE COVENANT Conditional Use Permit

08/19/2022 01:44:32 PM

Fee: \$87.00

The undersigned, being the record owners of all of the real property described as follows:  
ARTHUR EDWARD GAUTHIER JR. DEBORAH ANN GAUTHIER  
 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 900 in Township 34 South, Range 7 East, Section 26, 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.

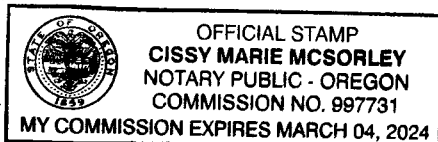
Dated this 07 day of 11, 2022

ARTHUR GAUTHIER  
 Record Owner

Deborah A. Gauthier  
 Record Owner

STATE OF Oregon )  
 County of Klamath ) ss.

Personally appeared the above names Arthur Gauthier and Deborah A. Gauthier and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 11<sup>th</sup> day of July, 2022



Cissy Marie McSorley  
 Notary Public for State of Oregon  
 My Commission Expires: 03-04-2024

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

**EXHIBIT "A"**  
Legal Description

That portion of Lots 4 and 9 lying East of the Southern Pacific Railroad in Section 27, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon and that portion of the SW 1/4 lying East of the Southern Pacific Railroad and the N 1/2 NW 1/4 of Section 26, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Less and excepting therefrom that portion deed to Klamath County for Old Korral Rd., recorded May 28, 1993 in Volume M93, Page 12231, records of Klamath County, Oregon.