

2022-011018

Klamath County, Oregon



00305947202200110180070073

09/12/2022 11:36:21 AM

Fee: \$112.00

After recording return to:

**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 40 South, Range 8 East W.M., Section 6,
Tax Lots 400, 200 and 100.
Assessor Parcel Numbers (APN) 501175, 621795 and 621786.

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' & Exhibit C & D

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

See Attached Exhibit D

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), Carrie D. Welch, 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 9th day of September, 2022.

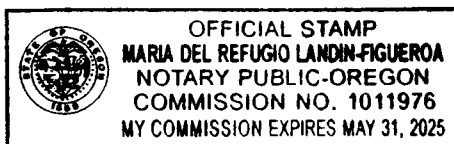

Owner of Record

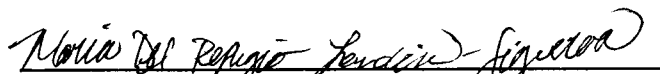
Owner of Record

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Carrie D. Welch and
acknowledged the foregoing instrument to be his/her voluntary act and deed before me
this 9th day of September, 2022.

By Maria Del Refugio Landin-Figueroa.




Notary Public for State of Oregon

My Commission Expires: May 31st 2025

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Revised 8/2021

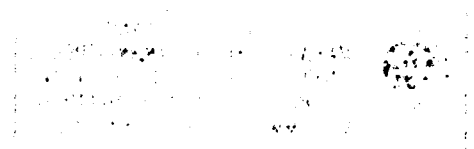


EXHIBIT A

Exib - A. Beginning at a point South 33° West 60 feet distant from the Southeast corner of Brighton Avenue and Park Street in the Town of Doten, Klamath County, Oregon; thence South 33° West, 180 feet; thence South 57° East, 120 feet; thence North 33° East 180 feet; thence North 57° West, 120 feet to the place of beginning, being a tract of land 180 feet by 120 feet in the NW1/4 NW1/4 of Section 6, Township 40 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Map # 4008-006BB-00400

15468 Hwy 66, Keno, Or, 97627 - Whoa Tavern

EXHIBIT B

PARCEL 1:

The following described parcel of land adjoining the Southerly boundary of the Town of Doten, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point where the Southeasterly line of Brighton Avenue of the Town of Doten intersects the Southwesterly line of Park Street of the Town of Doten; thence South 33° West 60 feet; thence South 57° East 240 feet; thence North 33° East 60 feet; thence North 57° West 240 feet to the point of beginning; being situate in the NW1/4 of NW1/4 of Section 6, Township 40 South, Range 8 East of the Willamette Meridian.

PARCEL 2:

A parcel of land in the NW1/4 NW1/4 of Section 6, Township 40 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at the intersection with the Southwesterly right of way line of Park Street and the Southeasterly right of way line of Brighton Avenue of the Plat of Doten; thence South 32° 40' West along the Southerly right of way line of Brighton Avenue 240.00 feet; thence South 57° 20' East (South 57° East according to the Plat of Doten) 120.00 feet which is the true point of beginning; thence North 32° 40' East 180.00 feet; thence South 57° 20' East 90.00 feet; thence South 32° 40' West 180.00 feet; thence North 57° 20' West 90.00 feet to the point of beginning.

Map # Parcel 1 - 4008-006BB-00200
Parcel 2 - 4008-006BB-00 00
11176 Park St. Kenq on. 97627

EXHIBIT C

A parcel of land in the NW1/4 NW1/4 of Section 6, Township 40 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point in the Northwest quarter of the Northwest quarter of Section 6, Township 40 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, which is South 32°40' West (South 33° West according to the plat of Doten, Klamath County, Oregon), along the Southeasterly line of Brighton Avenue in said Plat of Doten a distance of 240 feet and South 57°20' East (South 57° East according to the plat of Doten), a distance of 210 feet from the intersection of the Southwesterly line of Park Street with the Southeasterly line of Brighton Avenue in said town of Doten; thence North 32°40' East 180.00 feet; thence South 57°20' East 30 feet; thence North 32°40' East 60.0 feet, more or less, to the Southwesterly line of Park Street in the Town of Doten; thence South 57°20' East, 50 feet, more or less, to the Southeasterly line of Ferry Street in said Town of Doten; thence North 32°40' East, along said Southeasterly line of Ferry Street; a distance of 175.5 feet, more or less, to the North line of the Northwest quarter of the Northwest quarter of said Section 6, thence East along said North line of said Northwest quarter of Northwest quarter, a distance of 37.0 feet, more or less, to an iron pin marking the Northeast corner of said Northwest quarter of the Northwest quarter; thence South along the East line of said Northwest quarter of Northwest quarter, a distance of 503.0 feet, more or less, to a point which is South 57°20' East of the point of beginning; thence North 57°20' West 385 feet, more or less, to the point of beginning.

MAP # 4608-00BB-00100

15468 FERRY ST. Mend, OR. 97627

EXHIBIT D

To: Sarah - Septic Dept. Request

The Tavern has a food truck Attached to the business for the purpose of cooking food. Food is ordered at the window or an employee takes an order via phone or walkin. The food is cooked in the trailer as well as prepared. The food truck is furnished with freezers, fridges, grill ect, for a full kitchen. The food is packaged to go or is put into lined buckets, with plastic ware.

Menu is subject to change if Septic is Approved.

WHOA TAVERN

"WHOA WAGON MENU"

06/20/22

"BURGERS" ALL Burgers come with Mayonnaise. Mustard, Ketchup, Pickles, Lettuce, Tomato, Onions, Choice of Cheese, Pepper Jack, cheddar, Swiss, or American). **PLUS ONE SIDE**

WHOA BURGER: Cheese (choice), Mushrooms, and Chili-----	\$12.25
HAMBURGER -----	\$ 9.25
BACON BURGER -----	\$10.75
CHEESE BURGER -----	\$10.50
BACON CHEESE BURGER -----	\$11.50
MUSHROOM SWISS BURGER -----	\$10.25
CHILI BURGER-----	\$10.75
PATTY MELT-----	\$ 9.25

(DOUBLE PATTY ON ANY BURGER-----ADD-----\$2.75)

"WHOA! FAVORITES" {PLUS ONE SIDE}

PHILLY CHEESE WRAP {OR} PHILLY CHEESE STEAK SAND-----	\$13.25
CRISPY CHICKEN BACON RANCH WRAP-----	\$13.25
VEGIE WRAP-----	\$10.25
LOADED CHILI CHEESE FRIES -----	\$10.25
COUNTRY GRAVY TOTS W/CHEESE & BACON-----	\$ 9.25
CHICKEN STRIPS-----	\$ 9.25

"SANDWICHES" {PLUS ONE SIDE}

FRENCH DIP-----	\$11.25	POLISH DOG -----	\$ 8.25
BLT-----	\$ 9.25	HOT DOG {ALL BEEF}-----	\$ 8.25
"WHOA" CLUB-----	\$ 9.25	CHILI DOG-----	\$ 9.25
GRILLED HAM AND CHEESE -----	\$ 8.75		

"SALADS"

CRISPY CHICKEN SALAD-----	\$12.25	CHEF SALAD-----	\$13.25
CEASAR SALAD-----	\$12.25		

"SIDES"

POTATO SALAD-----	\$ 3.75	SMALL SIDE SALAD-----	\$ 6.75
"SMALL" -TATOR TOTS, CURLY FRIES {OR} REGULAR FRIES-----	\$ 4.00		

"APPETIZERS"

FRIED MUSHROOMS-----	\$ 7.75	JALAPENO POPPERS -----	\$ 7.25
FRIED PICKLES -----	\$ 7.25		
LARGE - TATOR TOTS, CURLY FRIES {OR} REGULAR FRIES-----	\$6.25		
MOZZARELLA STICKS-----	\$ 8.25	1/2 ORDER-----	\$ 4.25
ONION RINGS -----	\$ 7.25	1/2 ORDER -----	\$ 4.75

"APPETIZER PLATE" CHOOSE 3 ITEMS ABOVE {4 OF EACH}-----

RANCH OR FRY SAUCE-----	\$.75 EA.
EXTRA BACON-----	\$ 1.75 EA.
NACHO CHEESE-----	\$ 2.75
COUNTRY {OR} BROWN GRAVY-----	\$ 2.75

CALL IN ORDERS @ 541-884-9463
HOURS: SUN-THURS: 11 TO 8 FRI-SAT 9 TO 9
ASK IF DELIVERY AVAILABLE--\$6 FEE INC.S TIP