

2023-001757

Klamath County, Oregon



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03/14/2023 02:01:02 PM

Fee: \$87.00

Returned at Counter

William R. Brown

RESTRICTIVE COVENANT  
Accessory Structure Building Permit

The undersigned, being the record owners of all of the real property described as follows, and further identified by "Exhibit A" attached hereto, do hereby make the following restrictive covenant for the property, specifying that the covenant shall run with the land and shall be binding on all persons claiming such land, and that these restrictions shall be for the benefit of and limitation on all future owners of said real property.

The following restrictive covenants hereafter bind the subject property:

"The accessory structure located on Property No. 1 as described on attached Exhibit A is permitted in conjunction with the primary use located on Property No. 2 as described on attached Exhibit A. Said structure may be used for purposes customarily accessory and subordinate to the primary use of the above referenced parcel."

"Both Property No. 1 and Property No. 2, as described in attached Exhibit A, shall not be transferred, conveyed, leased, mortgaged or otherwise liened separately from each other but only to identical transferees, mortgagees or lien claimants until such time as either a lawful primary use is constructed on the property where the named accessory use is located, OR the accessory use is removed."

The 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 contained herein by judicial or administrative proceeding. This covenant is made pursuant to the provisions of the Klamath County Land Development Code.

Dated this 14 day of March, 2023.

William R. Brown  
Record Owner

Record Owner

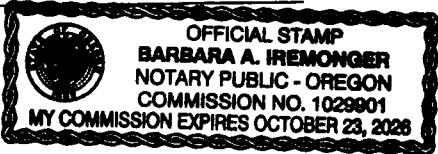
Elizabeth Dawn Brown  
Record Owner

Record Owner

STATE OF OREGON )  
County of Klamath ) ss.

Personally appeared the above names William R. Brown and Elizabeth Dawn Brown and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 14 day of March, 2023.

By Barbara A. Iremonger



Notary Public for State of Oregon  
My Commission Expires: 10/23/2026

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

EXHIBIT "A"  
LEGAL DESCRIPTION

PARCEL 1:

Property #2  
A parcel of land situated in Lots 1, 2 and 3 of HOMELAND TRACTS NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, being in the SW1/4 SW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch rebar on the South line of said Lot 1 from which the Southeast corner of said Lot 1 bears North 87° 46' East 135.04 feet; thence along the lines of the excepted portions of that tract of land described in Deed Volume M86, page 1202, Microfilm Records of Klamath County, Oregon, in said Lots 1, 2, and 3, North 00° 51' 51" West (North 00° 54' West by said Deed Volume) 110.20 feet to a 5/8 inch iron pin, North 87° 46' 00" East 135.04 feet to a 5/8" iron pin on the Easterly line of said Lot 2, North 89° 55' 29" West, 200.00 feet and North 00° 51' 51" West 171.41 feet (171.5 feet by said Deed Volume) to a point on the North line of said Lot 3, thence North 89° 55' 29" West 23.67 feet to a 5/8 inch iron pin; thence South 01° 06' 00" East 290.60 feet to a point on the South line of said Lot 1; thence North 87° 46' 00" East 87.47 feet to the point of beginning, and with bearings based on the South line of said Lot 1 as being North 87° 46' 00" East, plat record.

PARCEL 2:

Property #1  
A tract of land situated in Lots 1 and 2 HOMELAND TRACTS NO. 2, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the West line of Patterson Street and the North line of Hilyard Street; thence South 87° 46' West along the North line of Hilyard Street 135.04 feet; thence North 0° 54' West 110.2 feet; thence North 89° 59' East 135 feet to the West line of Patterson Street; thence South 0° 54' East to the point of beginning.