

After recording return to:

Katy M. Dhein



08/15/2023 02:14:23 PM

Fee: \$87.00

Returned at Counter

**RESTRICTIVE COVENANT  
Conditional Use Permit**

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

R-3809-00000-01502

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 1502 in Township 38 South, Range 9 East, Section 3, 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.

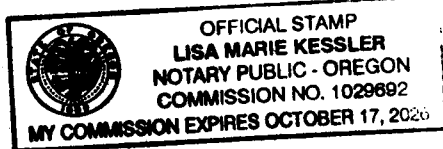
Dated this 15 day of August, 2023.

Kathryn Dhein  
Record Owner

[Signature]  
Record Owner

STATE OF Oregon )  
County of Klamath ) ss.

Personally appeared the above names Philip Capurro & Kathryn Dhein and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 15<sup>th</sup> day of August, 2023.



Lisa M. Kessler  
Notary Public for State of Oregon  
My Commission Expires: 10/17/2026

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

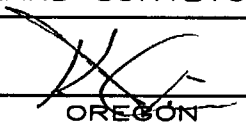
**EXHIBIT A**  
**DHEIN RESULTANT PARCEL**

An area of land in the Northeast quarter and the Northwest quarter of Section 3, Township 38 South, Range 9 East, Willamette Meridian, Klamath County, Oregon. Being more particularly described as follows:

Parcel 2 of Land Partition 41-96, together with the following:

Commencing at the Southeast corner of said Section; thence along the south section line, North 89°22'20" West 1311.40 feet; thence along the east line of Parcel 3 of said Land Partition 41-96 of Klamath County records; North 00°10'38" East 3,621.14 feet to the northeast corner of said Parcel 3 and also being the Point of Beginning; thence along the south line of said parcel 2 of said Land Partition, South 66°29'17" West 2867.75 feet to a 5/8" iron rod with a red plastic cap marked "Adkins Engineering and Surveying"; thence South 37°59'05" West 934.49 feet to a 5/8" iron rod with a red plastic cap marked "Adkins Engineering and Surveying" at the western right of way line of Old Fort Road as recorded in Volume M78, Page 2157; thence along said right of way North 22°40'40" West 139.19 feet; thence along a curve to the right having a radius of 1,607.02 feet, an arc length of 251.53 feet and a chord bearing and distance of North 18°11'39" West 251.28 feet; thence North 13°44'06" West 173.41 feet; thence along a curve to the right having a radius of 1,402.40 feet an arc length of 202.55 feet and a chord bearing and distance of North 09°36'34" West 202.37 feet; thence North 05°19'19" West 5.46 feet; thence along a curve to the left having a radius of 746.20 feet, an arc length of 174.46 feet and a chord bearing and distance of North 12°10'15" West 174.06 feet; thence North 18°49'56" West 162.54 feet; thence along a curve to the right having a radius of 154.83 feet, an arc length of 104.50 feet and a chord bearing and distance of North 00°34'41" East 102.53 feet; thence North 19°54'53" East 115.08 feet; thence along a curve to the left having a radius of 550.87 feet an arc length of 170.99 feet, and a chord bearing and distance of North 10°54'08" East 170.31 feet; thence North 01°59'50" East 645.16 feet to the northwest corner of said Parcel 2; thence leaving said right of way North 80°43'55" East 2,130.96 feet; thence South 89°46'55" East 1,307.66 feet to the northeast corner of said Parcel 2; thence South 00°10'38" West 466.57 feet to the Point of Beginning. Containing 91.47 acres, more or less.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

  
OREGON  
SEPTEMBER 11, 2018  
KRAIG MATTHEW BLIM  
92784

EXPIRES: 12/31/23