

2023-009589

Klamath County, Oregon

Returned at Counter

Stephen Hayner

RESTRICTIVE COVENANT

Accessory Structure Building Permit



00321788202300095890020021

11/06/2023 03:38:29 PM

Fee: \$87.00

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 6th day of November, 2023.

[Signature]
Record Owner

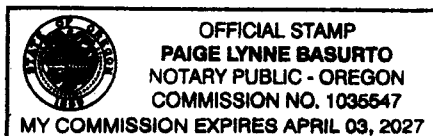
[Signature]
Record Owner

Record Owner

Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Stephen Hayner & Gwendolyn Hayner and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 6th day of November, 2023
By Paige Lynne Basurto



[Signature]
Notary Public for State of Oregon
My Commission Expires: April 3, 2027

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

EXHIBIT A

(Property No. 1 legal description)

PARCEL 2 of LAND PARTITION 33-93, SAID LAND PARTITION being situated in LOTS 2, 3, AND 4 in BLOCK 1 of Bella Vista - TRACT NO. 1235, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

APN 3507 - 007 DC - 01900

(Property No. 2 legal description)

PARCEL 1 of Land Partition 46-92 as filed in the Klamath County Planning Department being a portion of the W 1/2 of Government Lot 17, Section 7, Township 35 South, Range 7 East of Willamette Meridian, Klamath County, Oregon

APN 3507 - 007 DB - 00900