

2024-007763

Klamath County, Oregon



00333133202400077630050050

09/05/2024 10:45:57 AM

Fee: \$102.00

After recording return to:

Richard Niezgodnik

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 39 South, Range 08 East W.M., Section 031CC
Tax Lots 00400 and 00300
Assessor Parcel Numbers (APN) 501086 and 501111

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'

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

See Attached Exhibit 'C'

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), RICHARD NIEZGODNIK, 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.

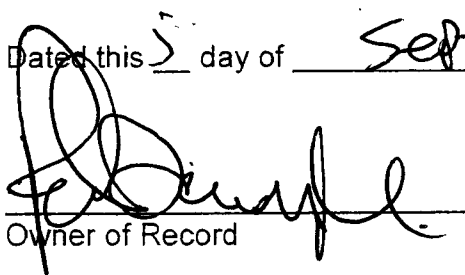
Note: A copy of the recorded instrument must be returned to Community Development before permits can be issued.

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 5 day of Sept, 2024.

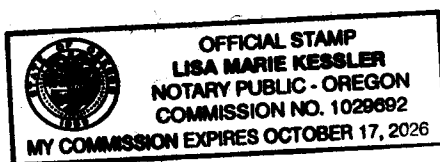

Owner of Record

Owner of Record

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Richard Niezgodzki and
acknowledged the foregoing instrument to be his/her voluntary act and deed before me
this 5th day of September, 2024.

By _____.




Notary Public for State of Oregon

My Commission Expires: October 17, 2026

Note: A copy of the recorded instrument must be returned to Community Development before permits can be issued.

Revised 8/2021



EXHIBIT A

2024-000613
Klamath County, Oregon
01/24/2024 01:12:02 PM
Fee: \$97.00

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

Richard Niezgodzki and Linda M. Niezgodzki

900 Northcrest DR #108

Crescent City, CA 95531

Until a change is requested all tax statements shall be sent to the following address:

Richard Niezgodzki and Linda M. Niezgodzki

900 Northcrest DR #108

Crescent City, CA 95531

File No. 619963AM

STATUTORY WARRANTY DEED

Anita L. Johnson, Angela M. Bradbury, Annette R. VanRiper and Jesse James Benson, as Tenants in Common ,

Grantor(s), hereby convey and warrant to

Richard Niezgodzki and Linda M. Niezgodzki, as Tenants by the Entirety,

Grantee(s), the following described real property in the County of Klamath and State of Oregon free of encumbrances except as specifically set forth herein:

The following parcel of land being a portion of Government Lot 1 of Section 31, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

From the intersection of the West side of Brighton Avenue and the North side of River Street in the town of Doten run to a point distant fifty two and five tenths (52.5) feet Northwesterly on the North line of said River Street for the place of beginning; thence West along said North line of said street, a distance of eighty two and seven tenths (82.7) feet, more or less, to the Southwest corner of land described in deed to T.J. and Nora Prather, recorded in Deed Records of Klamath County, Oregon in Book 67 at page 55; thence North 33° East, Two hundred sixty (260) feet, more or less, to the Klamath River, thence Southeasterly along said line of Klamath River Eighty Seven and one tenth (87.1) feet, more or less, THENCE South 33° 00 minutes West to the point of beginning.

The true and actual consideration for this conveyance is \$72,500.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:



EXHIBIT B

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Klamath County, Oregon
01/24/2024 01:12:02 PM
Fee: \$97.00

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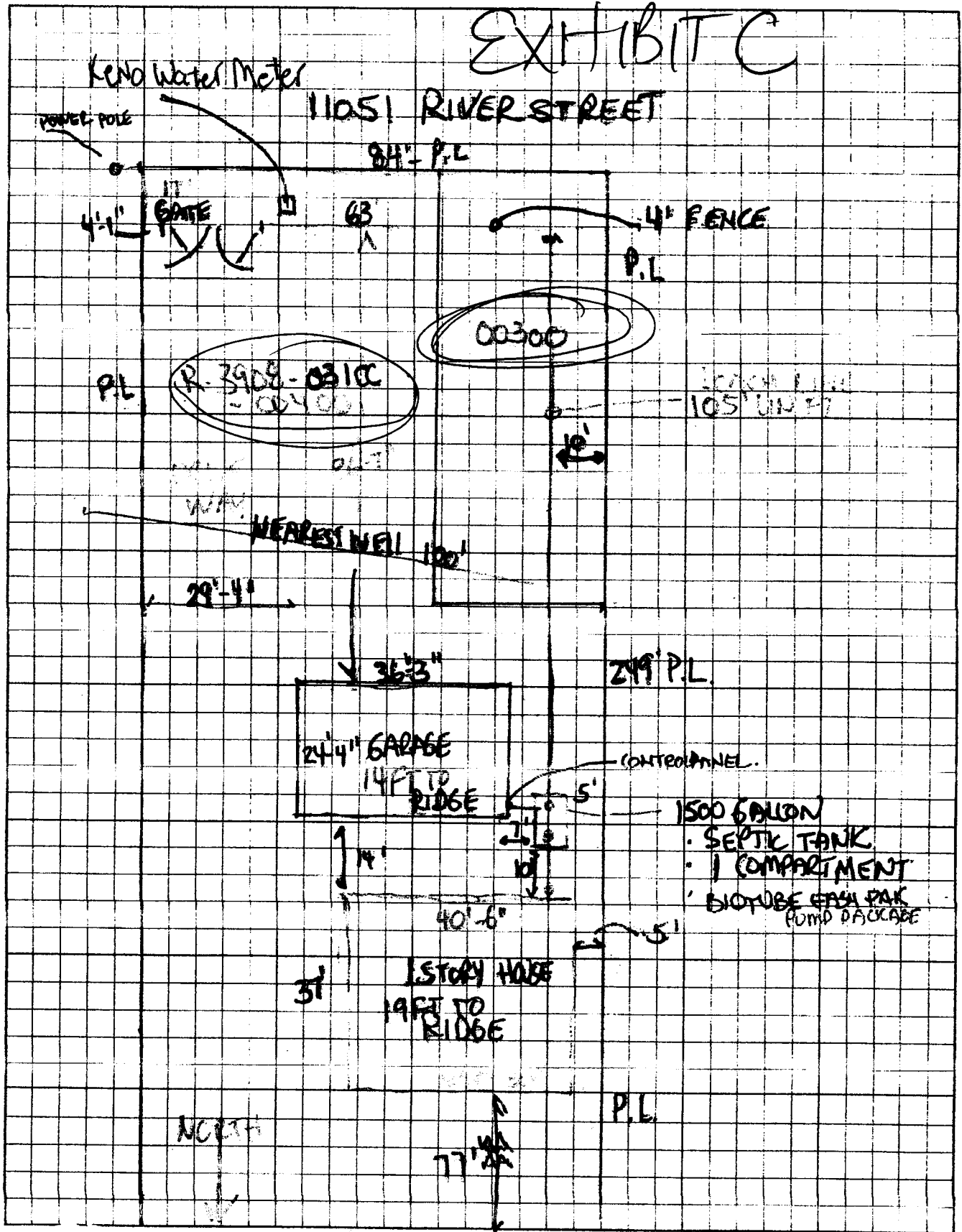
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Project: SEPTIC TANK & LEACH LINE	Page:
Location: 11051 RIVER ST, KENO, OR	Date:
R-3908-0311CC-00400 & 00300	PHONE 951-212-9673
Client: RICHARD & LINDA NIEZ60DUX	



NORTH RIVER