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10/04/2024 01:24:29 PM

Fee: \$102.00

After recording return to:

Kristine Ann Sachara**RESTRICTIVE COVENANT
Fire Siting Standards**

The undersigned, MARK T. AND KRISTINE K. SACHARA (also known as Kristine Ann Sachara) (insert names) being the owners of record of all of the real property described as follows; R-3407 - 00400 01100 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 develop on property designated by the Klamath County Assessor's Office as Tax Lot 1100 in Township 345 South, Range 7E East, Section 4, the following restrictive covenant(s) hereafter bind the subject property:

1. All new development shall comply with the following:

- A. Provide a dependable supply of water adequate for normal daily consumption and peak emergency needs from a source authorized in accordance with Oregon Administrative Rule (OAR) and that any surface water used is not from a Class II stream.
- B. Provide for and make available a permanent source of water with a capacity of 4000 gallons or more. If a stream, pond, or lake exists within 500 feet of the homesite a road access shall be provided to within 15 feet of the water's edge. Access to water shall be not less than 15 feet wide and shall be an improved and maintained surface with an improved vehicle turning area of sufficient size to accommodate local fire protection equipment.
- C. Where residences are supplied with individual water systems without a permanent source of water for fire suppression (e.g., fire hydrants), the following standards shall apply:
 - a. At least one 1 inch hydrant standpipe shall be provided at least 50 feet from a building and no greater distance than 10 feet from the driveway with adequate protection from freezing weather.
 - b. Electrical service to a well pump shall not pass through, under, or onto any non-well protecting structure.

2. Road access shall meet the following minimum standards:

- A. Maximum grade shall not exceed 10 percent.
- B. Road surface must be a minimum of 20 feet wide with an all weather surface capable of supporting a fire apparatus at 60,000 lbs minimum or as prescribed by the Fire Marshall.

- C. The entire legal access way shall be maintained, at all times, as a fuel break free of brush and other flammable material.
 - D. The length of cul-de-sacs shall not exceed 700 feet and have a right-of-way with a 50 foot radius with an improved vehicle turning area not less than 80 feet in diameter.
 - E. Installation of bridges or culverts shall have a minimum load limit of 40,000 lbs (20 ton) and not be narrower than the improved travel surface serving each end.
3. All structures shall be constructed to the following standards:
- A. Roofing materials shall carry a minimum of Class B rating. In areas of extreme fire hazard rating, Class A rated roof shall be required.
 - B. The siting of a manufactured home shall require fully skirting from the floor-line to the ground-line with vents or openings screened with corrosion-resistant mesh not greater than ¼ inch size.
 - C. All chimneys shall have spark arrest installed with nonflammable, corrosive-resistant material having opening in the mesh no larger than ¼ inch.
4. Property fuel breaks, landscaping and maintenance may be planned in accordance with the following minimum standards:
- A. A Primary Fuel Break shall be created and maintained no less than 30 feet in width extending from the wall line of any structure. Vegetation shall be less than 3 inches high, at all times. All trees within the primary break shall be thinned to 15 feet between tree crowns, and dead limbs near or over-hanging any structure shall be removed at all times.
 - B. A Secondary Fuel Break shall be created and maintained no less than 70 feet wide on the down-slope side of a residence and 35 feet on all other sides. Extend the fuel break to 100 feet on the downhill side where steep slopes or dense vegetation are present. Live trees and shrubbery shall be pruned to reduce the possibility of fire reaching roofs of structures or the crowns of trees. Low-growing plants and grasses shall be maintained to prevent the buildup of flammable fuels.
 - C. Fences shall be constructed of nonflammable materials and maintained to eliminate the buildup of flammable refuse.
5. Home identification signs shall be posted at the nearest county, state or federal road serving the residence; and, constructed of nonflammable materials with letters at least 3 inches high, ½ inch line width; and, with a reflective color that contrasts sharply with the background of both the sign itself and the surrounding vegetation.

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 Planning 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 04 day of OCTOBER, 2024.

Mark Thomas Sachara
Record Owner

MARK THOMAS SACHARA

Kristine K. Sachara
Record Owner

KRISTINE K. SACHARA

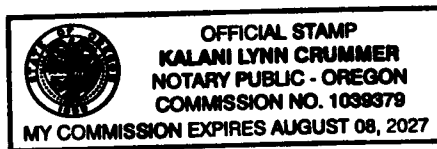
Record Owner

Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above named persons and acknowledged the foregoing instrument to be ~~his~~ their voluntary act and deed before me this 4th day of October, 2024.

By Mark T. Sachara & Kristine K. Sachara.
Ann



Kalani Crummer
Notary Public for State of Oregon

My Commission Expires:

Aug. 8th. 2027

Note: A copy of the recorded instrument must be returned to Klamath County Planning Department before development permits can be issued.

Exhibit A

LAND PARTITION 54-23

SITUATED IN THE SE1/4 OF SECTION 4, TOWNSHIP 34 SOUTH, RANGE 7, EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON
APRIL 2024

SURVEYOR'S CERTIFICATE

I, DANIEL J. O'CONNOR, A REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE PARTITIONED, PLATTED AND CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS "LAND PARTITION 54-23", SITUATED IN THE SE1/4 OF SECTION 4, TOWNSHIP 34 SOUTH, RANGE 7, EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE N1/2 OF THE S1/2 OF SECTION 4, TOWNSHIP 34 SOUTH, RANGE 7, EAST OF THE WILLAMETTE MERIDIAN, LYING WESTERLY OF THE CENTER THREAD OF SPRING CREEK, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF THE N1/2 OF THE S1/2 OF SAID SECTION 4, 1180 FEET WEST OF THE SOUTHWEST CORNER OF LOT 1, BLOCK 5 (IDLEST) WHICH POINT IS THE SOUTHWEST CORNER THEREOF; THENCE NORTH 719.8 FEET, MORE OR LESS, PARALLEL WITH THE WEST LINE OF SAID SECTION 4, WHICH POINT IS THE NORTHWEST CORNER THEREOF; EAST 1120 FEET, PARALLEL TO THE NORTH LINE OF THE N1/2 S1/2 OF SAID SECTION 4, WHICH POINT IS THE NORTHEAST CORNER THEREOF; THENCE SOUTH 719.8 FEET, MORE OR LESS, ALONG THE WEST LINE OF THE EASEMENT ROAD TO THE SOUTH LINE OF THE N1/2 OF THE S1/2 OF SAID SECTION 4, WHICH POINT IS THE SOUTHEAST CORNER OF THE S1/2 OF SAID SECTION 4, 1120 FEET TO THE POINT OF BEGINNING.

EXCEPTING OUT THE WEST 810 FEET.

THIS PARTITION CONTAINS 5.29 ACRES, MORE OR LESS.

REGISTERED PROFESSIONAL LAND SURVEYOR
DANIEL J. O'CONNOR
PLS 90081
RENEWAL DATE: 1/1/25

Daniel J. O'Connor
DANIEL J. O'CONNOR PLS 90081

NARRATIVE

THE PURPOSE OF THIS PLAT IS TO CREATE A LAWFUL UNIT OF LAND. MONUMENTS FOUND FROM RECORD OF SURVEY 7161 AND BEARINGS FROM RECORD OF SURVEY 4260 WERE HELD TO SURVEY AND MONUMENT THIS LAND PARTITION. THE CONDITIONS OF APPROVAL DID NOT REQUIRE THIS LAND PARTITION TO BE SURVEYED. THE PROPERTY OWNER REQUESTED THE PROPERTY BE SURVEYED AND MONUMENTED. THE BASIS OF BEARINGS FOR THIS SURVEY IS R.O.S. 4260. THE MONUMENTS WERE SET ON

APRIL 21st, 2024.

STATE OF OREGON
COUNTY OF KLAMATH

WE, MARK SACHARA AND KRISTINE SACHARA, TRUSTEES OF THE SACHARA LIVING TRUST, BEING DULY SWORN, DEPOSE AND SAY THAT WE ARE THE OWNERS OF "LAND PARTITION 54-23", MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND THAT WE DID CAUSE THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ANNEXED PLAT.

Mark Sachara
MARK SACHARA
(TRUSTEE)

Kristine Sachara
KRISTINE SACHARA
(TRUSTEE)

STATE OF OREGON
COUNTY OF KLAMATH

BE IT REMEMBERED THAT ON THIS 25 DAY OF April, 2024, PERSONALLY APPEARED BEFORE ME, MARK SACHARA AND KRISTINE SACHARA, WHO ARE KNOWN TO ME TO BE THE IDENTICAL PERSONS DESCRIBED IN AND WHO EXECUTED THE ABOVE INSTRUMENT, AND KNOWN TO ME TO BE THE TRUSTEES OF THE SACHARA LIVING TRUST.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL NOTARIAL SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.

OFFICIAL STAMP
EMILY JEAN COE
NOTARY PUBLIC - OREGON
MY COMMISSION EXPIRES SEPTEMBER 2025

Emily Jean Coe
NOTARY PUBLIC FOR THE STATE OF OREGON
MY COMMISSION EXPIRES: 9/27/2025

FILED FOR RECORD THIS 09 DAY OF May, 2024.

Vendy
KLAMATH COUNTY CLERK
BY *Vendy* CLERK, DEPUTY

APPROVALS

I HEREBY CERTIFY THAT ALL TAXES, INTEREST, PENALTIES, ASSESSMENTS, FEES OR OTHER CHARGES REQUIRED BY O.R.S. 92.095 HAVE BEEN PAID.
5/16/24
KLAMATH COUNTY TAX COLLECTOR

APPROVED BY *[Signature]*
KLAMATH COUNTY SHERIFF
DATE 05/16/2024

APPROVED BY *[Signature]*
KLAMATH COUNTY PLANNING DIRECTOR
DATE 5-6-2024

THIS PLAT IS SUBJECT TO THE EXCEPTIONS AS SHOWN ON AMERITITLE REPORT #620998AM, DATED APRIL 29th, 2024. COULD NOT BE LOCATED BY DOCUMENT LANGUAGE

• AN EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED THEREIN AS SET FORTH IN INSTRUMENT: GRANTED TO: CALIFORNIA OREGON POWER COMPANY, NOW PACIFIC POWER & LIGHT COMPANY
RECORDED: JUNE 27, 1955
VOLUME: 272, PAGE 37

• AN EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED THEREIN AS SET FORTH IN INSTRUMENT: GRANTED TO: CALIFORNIA OREGON POWER COMPANY, NOW PACIFIC POWER & LIGHT COMPANY
RECORDED: MAY 5, 1962
VOLUME: 334, PAGE 586

• AN EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED THEREIN AS SET FORTH IN INSTRUMENT: GRANTED TO: CALIFORNIA OREGON POWER COMPANY, NOW PACIFIC POWER & LIGHT COMPANY
RECORDED: MARCH 23, 1977
VOLUME: M77, PAGE 4889

I, HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT OF "LAND PARTITION 54-23" AS FILED WITH THIS OFFICE.

Vendy
KLAMATH COUNTY CLERK
BY *Vendy* CLERK, DEPUTY

I, HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT OF "LAND PARTITION 54-23".

[Signature]
DANIEL J. O'CONNOR PLS 90081

FILED
IN THE OFFICE OF THE KLAMATH COUNTY SURVEYOR THIS 10 DAY OF May, 2024

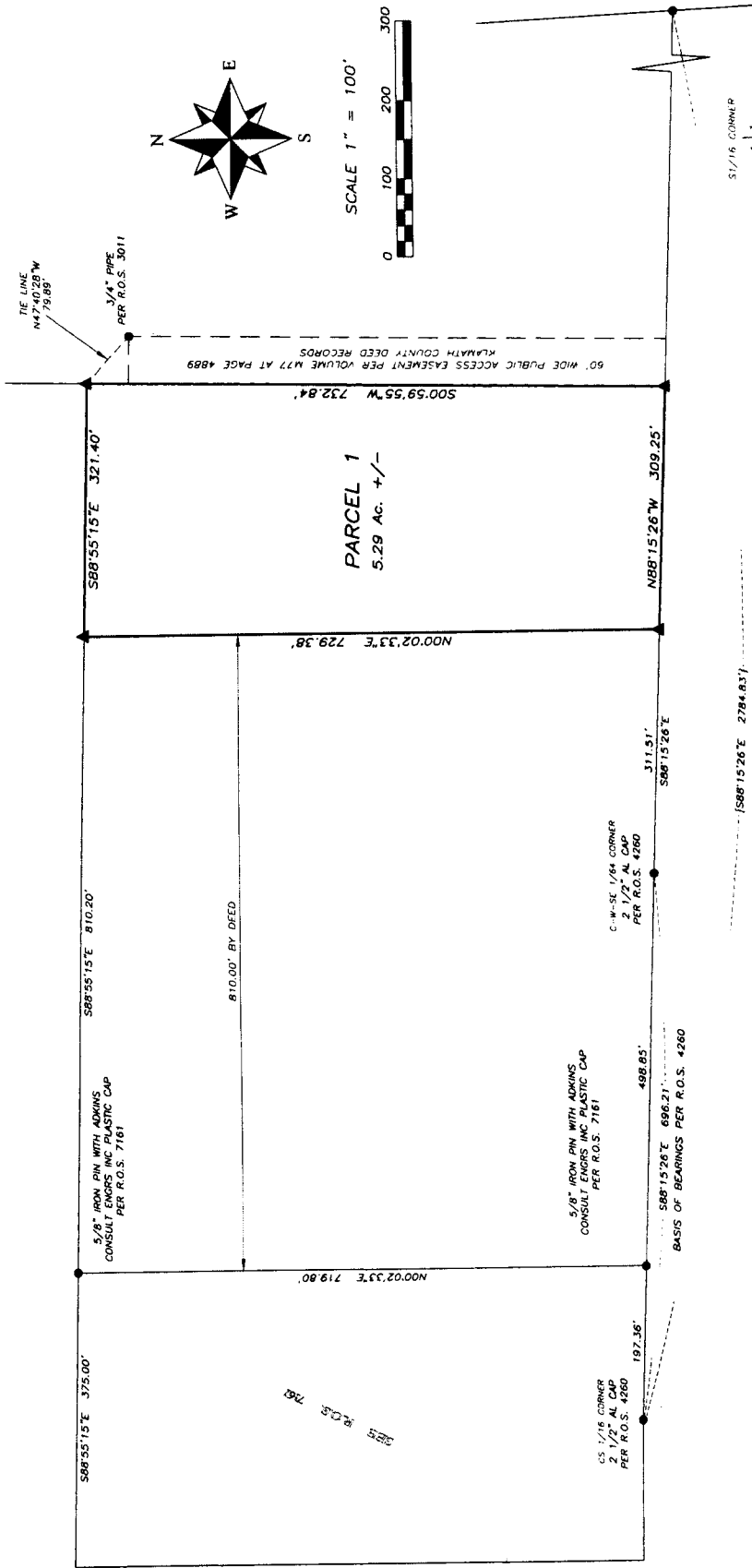
TRU-LINE SURVEYING
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603
SHEET 1 OF 2

2024-5599

Exhibit A

LAND PARTITION 54-23

FOR VALIDATION
SITUATED IN THE SE1/4 OF SECTION 4, TOWNSHIP 34 SOUTH, RANGE 7, EAST OF THE WILLAMETTE MERIDIAN,
CLATSOP COUNTY, OREGON
APRIL 2024



LEGEND

- ▲ SET 5/8" X 30" IRON PIN WITH TRU-LINE SURVEYING PLASTIC CAP
- FOUND MONUMENT AS SHOWN
- [XXX] RECORD BEARING AND/OR DISTANCE PER R.O.S. 4260

I, HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT OF "LAND PARTITION 54-23" AS FILED WITH THIS OFFICE.

CLATSOP COUNTY CLERK BY Clerk DEPUTY

I, HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT OF "LAND PARTITION 54-23".

FILED IN THE OFFICE OF THE CLATSOP COUNTY SURVEYOR THIS 10 DAY OF May, 2024

REGISTERED PROFESSIONAL SURVEYOR
DANIEL A. O'CONNOR
RENEWAL DATE: 1/1/25

TRU-LINE SURVEYING
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603
SHEET 2 OF 2

2024-3599