

AGREEMENT 108.02

11659

66-480

THIS AGREEMENT made and entered into this 11th day of November, 1966, by and between DONALD B. MAUSSHARDT and CONSTANCE J. MAUSSHARDT, husband and wife, hereinafter called First Parties, and STANLEY W. EZELL and BETTY A. EZELL, husband and wife, hereinafter known as Second Parties:

WITNESSETH:

WHEREAS, First Parties are owners of Lot 27 in Loma Linda Heights Addition to Klamath Falls, Klamath County, Oregon, and Second Parties are owners of Lot 26, Loma Linda Heights Addition to Klamath Falls, Klamath County, Oregon; and

WHEREAS, said lots are adjoining; and

WHEREAS, the lots of said First Parties and Second Parties are subject to a Declaration of Conditions and Restrictions executed by JOHN T. GLUBRECHT, et ux, to the public, dated August 4, 1955, Recorded August 5, 1955, in Deed Volume 276 at page 330, Records of Klamath County, Oregon, as amended by JOHN F. GLUBRECHT, et al, on December 1, 1955, recorded on January 5, 1956, in Deed Volume 260, page 263, Records of Klamath County, Oregon; and

WHEREAS, the aforesaid Declaration of Conditions and Restrictions contains a provision requiring all buildings upon lots subject to said Declaration to be set back so that no part thereof extends closer than 20 feet from the front street property line of said lots; and

WHEREAS, First parties dwelling upon said Lot 27, Loma Linda Heights is located 14.2 feet from the front street property line of the said lot 27;

THEREFORE, Second Parties in consideration of Ten and no/100 Dollars (\$10.00) paid by First Parties to Second Parties, the receipt of which is hereby acknowledged, and other valuable consideration, does hereby consent that the said provision in the aforesaid Declaration of Conditions and Restrictions relating to the 20 foot set-back line as applied to First Parties and said Lot 27, be and

11660

the same hereby is, changed, waived and modified so that the Parties of the First Part, their grantees, heirs and assigns shall have the right to build and maintain a building and residence dwelling 14.2 feet from the street front property line of said lot 27, Loma Linda Heights addition to the City of Klamath Falls, Klamath County, Oregon.

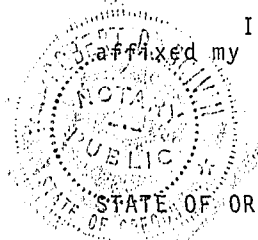
IN WITNESS WHEREOF, the Parties hereunto set their hands the day and year first above written.

Stanley W. Ezell
Betty A. Ezell
Donald B. Mausshardt
Constance J. Mausshardt

STATE OF OREGON }
County of Klamath } ss.

BE IT REMEMBERED, That on this 8th day of November, 1966, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named STANLEY W. EZELL and BETTY A. EZELL, husband and wife, known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

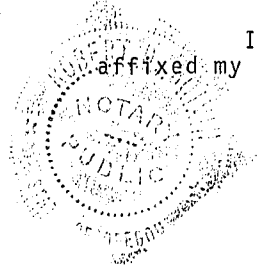


Edward Brown
Notary Public for Oregon
My Commission Expires: 10/4/68

STATE OF OREGON }
County of Klamath } ss.

BE IT REMEMBERED, That on this 8th day of November, 1966, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named DONALD B. MAUSSHARDT and CONSTANCE J. MAUSSHARDT, husband and wife, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Edward Brown
Notary Public for Oregon
My Commission Expires: 10/4/68

11661

STATE OF OREGON, COUNTY OF KLAMATH; ss.

Filed for record at request of Oregon Title Insurance

this 9th day of November 1966 3:50'clock P.M., and

duly recorded in Vol. M-66, of Deeds on Page 11659

DOROTHY ROGERS, County Clerk

\$4.50 pd.

50

By

Dolores Lewis