

15308

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AMENDMENT TO DECLARATION OF RESTRICTIONS
67-01R

KNOW ALL MEN BY THESE PRESENTS, that,

WHEREAS, The Bank of California, National Association, a national banking association, is the owner of that certain real property situate in the County of Klamath, State of Oregon, more particularly described as:

The Fourth Addition to Nimrod River Park,
as same is shown on duly recorded plat
in the office of the County Recorder of
said County.

WHEREAS, said The Bank of California did cause to have recorded on March 13, 1967 in volume M-67 at page 1751 a Declaration of Restrictions, hereinafter referred to as March 13, 1967 Restrictions, wherein there was prescribed certain standards relating to the use and occupation of such real property,

WHEREAS, said The Bank of California is desirous of changing and amending said aforescribed Declaration of Restrictions.

NOW THEREFORE, in consideration of the premises, and for the uses and purposes herein set forth, The Bank of California herein changes and amends the March 13, 1967 Declaration of Restrictions in the following places and manner to wit:

Article 6, on page two shall be amended to read:

6. Before any building, structure, wall, fence, sign or other advertising is erected or maintained upon any of said property, or any alterations made thereto, plans for the same, together with accompanying Specifications, shall be submitted to a committee to be known as the "Architectural Control Committee", which said committee shall consist of officers of Nimrod Park, Inc., a California corporation, or a duly appointed agent of Nimrod Park, Inc., for a period of 10 years from the date of recordation of these restrictions, at which time the right to appoint such committee shall automatically be transferred to the individual lot owners, a majority of whom shall have the right to appoint the architectural control committee. If a lot owners association has been organized, its governing body may appoint such Committee. In the event that approval or disapproval of such plans is not received within thirty days of submission to said committee, said plans shall be deemed to have been approved.

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Article 7, on page two shall be amended to read:

7. No signs, (except a sign of customary and reasonable dimensions advertising the property for sale) placards, signboards, or billboards of any character, or any nuisance, or any building or structure, except as permitted by the Architectural Control Committee shall be erected, placed or maintained on any part of the property herein described; and, in the event of the violation of any of these conditions, the Architectural Control Committee may, in addition to any other right conferred by law, remove or abate the same without any liability therefore. The Architectural Control Committee reserves the right to grant permission to erect buildings and/or signs of a temporary nature.

Article 10, on page two shall be amended to read:

10. Each and all of the foregoing restrictions except Article 6 above, shall continue in full force and effect until July 1, 1985 and shall thereafter automatically be continued in force for ten (10) year periods, unless a majority of the then property owners shall in writing modify, alter or abrogate said covenants, conditions and restrictions.

PROVIDED THAT, all other terms and conditions of said March 13, 1967 Declaration of Restrictions shall remain unchanged and in full force and effect.

PROVIDED FURTHER, that invalidation of any one of these conditions, covenants, and/or restrictions by judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.

PROVIDED, ALSO, that a breach of any of the foregoing conditions, covenants, and/or restrictions shall not defeat or render invalid the lien of any Mortgage or Deed of Trust made in good faith and for value, as to said realty or any part thereof, but said conditions, covenants, and/or restrictions shall be binding upon and effective against any subsequent owner of said realty.

IN WITNESS WHEREOF, THE BANK OF CALIFORNIA, NATIONAL ASSOCIATION, a national banking association, has caused its corporate name and seal to be hereunto affixed by its Officers thereunto duly authorized, this

June 30th day of JUNE, 1967.

THE BANK OF CALIFORNIA, NATIONAL ASSOCIATION, a national banking association,

By Nathaniel E. Spurr
Assistant Trust Officer

By W. L. Murray
Trust Officer

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(seal)

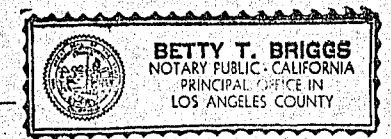
STATE OF CALIFORNIA)
)) SS.

County of

On June 30 1967, before me, the under-
signed, a Notary Public in and for said county and State,
personally appeared R.C. Murray, Jr., known
to me to be the Trust Officer, and
Nathan B. Spang, known to me to be the
Asst. Trust Officer of THE BANK OF CALIFORNIA,
NATIONAL ASSOCIATION, a national banking association,
that executed the within Instrument, known to me to be the
persons who executed the within Instrument on behalf of
the Association therein named, and acknowledged to me
that such Association executed the within Instrument
pursuant to its by-laws or a resolution of its board of
directors.

WITNESS my hand and official seal.

Signature Betty T. Briggs



My Commission Expires June 22, 1968

Return-
Nimrod Park, Inc
1120 South San Gabriel Blvd
San Gabriel, California

STATE OF OREGON,)
County of Klamath) ss

Filed for record at request of:

Oregon Title Insurance
on this 6 day of July A.D. 19 67
at 3:41 o'clock P.M. and duly
recorded in Vol. M-67 of Deeds
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DOROTHY REGGERS, County Clerk
By Barry J. Rogers Deputy

Fee 4.50

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