

AMENDMENT TO DECLARATION OF CONDITIONS AND RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS, That Arline A. Forister, a widow; David R. Vandenberg, Jr. and Muriel Vandenberg, husband and wife; Katherine W. Lemire; Orrin L. Stuempges and Shirley A. Stuempges, husband and wife; Theodore E. Thom and Barbara S. Thom, husband and wife; and John F. Glubrecht and Leah B. Glubrecht, husband and wife, are the owners of all of the Lots in the Plat of FIRST ADDITION TO LOMA LINDA HEIGHTS upon which plat there was recorded in Volume 355 at page 361, Deed Records of Klamath County, Oregon, Declaration of Conditions and Restrictions. That a portion of said instrument provides as follows, to-wit:

"Lots 6, 7, 8 and 9 - may be combined for multi-family dwellings or condominiums, two story with low ceiling basement for garage and/or other storage, provided, however, said structure shall not exceed 38 feet in total height,"

and,

WHEREAS, the said 38 foot height limitation is erroneous because it would materially affect the view of other lots in the plat if someone did, in fact, build a 38 foot structure thereon,

NOW, THEREFORE, for and in consideration of the premises, it is hereby mutually agreed by and between the parties hereto as follows:

I.

That the building height limitation on Lots 6, 7, 8 and 9, Block 2, FIRST ADDITION TO LOMA LINDA HEIGHTS be and the same hereby is decreased to 28 feet.

That said restriction after said modification and amendment reads as follows, to-wit:

"Lots 6, 7, 8 and 9 - may be combined for multi-family dwellings or condominiums, two story with low ceiling basement for garage and/or other storage, provided, however, said structure shall not exceed 28 feet in total height, measured from street level;"

II.

That except as herein expressly modified the said Declaration of Restrictions and Conditions remains in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 5th day of December, 1967.

Arline A. Forister (SEAL)
David R. Vandenberg, Jr. (SEAL)

WITNESSES
ATTEST
NOTARY AT LAW
IN FALLS, ORE.

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Muriel Vandenberg (SEAL)
Muriel Vandenberg
Katherine W. Lemire (SEAL)
Katherine W. Lemire
Orrin L. Stuempges (SEAL)
Orrin L. Stuempges
Shirley A. Stuempges (SEAL)
Shirley A. Stuempges
Theodore E. Thom (SEAL)
Theodore E. Thom
Barbara S. Thom (SEAL)
Barbara S. Thom
John F. Glubrecht (SEAL)
John F. Glubrecht
Leah B. Glubrecht (SEAL)
Leah B. Glubrecht

STATE OF CALIFORNIA
County of San Mateo

JANUARY 17, 1968
December 17, 1967

Personally appeared the above named Arline A. Forister, a widow, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:
(SEAL)



GRANT B. SWEET
NOTARY PUBLIC - CALIFORNIA
COUNTY OF SAN MATEO

Grant B. Sweet
Notary Public for California
My Commission Expires: 3-16-71

STATE OF OREGON)

December 1967

County of Klamath) SS

Personally appeared the above named David R. Vandenberg, Jr. and Muriel Vandenberg, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:
(SEAL)

Kandice Oliver
Notary Public for Oregon
My Commission Expires: 10-24-71

STATE OF OREGON)

December 8, 1967

County of Klamath) SS

Personally appeared the above named Katherine W. Lemire, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:
(SEAL)

Carl V. MacDonald
Notary Public for Oregon
My Commission Expires: April 24, 1971

STATE OF OREGON)

December 1967

County of Klamath) SS

Personally appeared the above named Orrin L. Stuempges and Shirley A. Stuempges, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:
(SEAL)

John R. Rusk
Notary Public for Oregon
My Commission Expires March 2, 1969

1 STATE OF OREGON)
2 County of Klamath) SS

December 12, 1967

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3 Personally appeared the above named Theodore E. Thom and Barbara S. Thom,
4 husband and wife, and acknowledged the foregoing instrument to be their volun-
5 tary act and deed.

6 Before me:

7 (SEAL)

Mary H. Jotter

Notary Public for Oregon

My Commission Expires: 12-16-68

8 STATE OF OREGON)
9 County of Klamath) SS

December 6, 1967

10 Personally appeared the above named John F. Glubrecht and Leah B. Glubrecht,
11 husband and wife, and acknowledged the foregoing instrument to be their voluntary
12 act and deed.

13 Before me:

14 (SEAL)

Ernest F. Jordan

Notary Public for Oregon

My Commission Expires: 5-15-68

15 STATE OF OREGON)
16 County of Klamath) ss
17 Filed for record at _____ of _____
18

19 On this 15 day of Dec. A. D. 1967
20 at 4:00 o'clock P. M. and 6:00
21 P. M. of 1967
22 Subscribed by _____
23 Page 357

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Ret. John F. Glubrecht
914 Loma Linda
H. Sales

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BANDON, BANDON
& GORDON
ATTORNEYS AT LAW
KLAMATH FALLS, ORE.