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DECLARATION OF CONDITIONS AND RESTRICTIONS

MIDLAND HILLS ESTATES

No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed two stories in height and a private garage. Basements and what are known as "daylight basements" shall not be counted as a "story." Outbuildings which are strictly incident to a private residence shall be permitted.

No dwelling or other building shall be erected within twenty feet (20) of the front lot line or nearer than five feet (5) to any side lot line, except that on lots abutting collection or arterial streets, no building shall be located nearer than twenty feet (20) to such abutting collection or arterial streets.

The floor area of the main structure, which shall only include living space, and excluding porches or garages, shall not be less than 1,100 square feet.

All buildings shall be completed and the exterior of the buildings painted within six months from the time construction is commenced. No dwelling shall be occupied for any purpose until such time as the exterior of such dwelling shall have been completed and painted.

No structure of a temporary nature, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently, and no old structures shall be moved or placed onto any said lots.

No fences, walls, hedges, or shrub planting shall be allowed to exceed an elevation of two (2) feet on the front lot line, or within thirty (30) feet of the front lot line and no fence, wall, hedge, or shrub planting shall exceed five (5) feet, six (6) inches in elevation on the rear portion of said lot.

Each lot shall be maintained in a good and clean condition and be free of hazards to the adjacent property and to the occupants hereof.

No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept excepting in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

No noxious or offensive activity shall be carried on upon any lots, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one (1) square foot, one sign of not more than five (5) square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

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Two (2) livestock per acre will be permitted which are, horses, beef or sheep. Dogs, cats and other household pets may be kept provided they are not kept, bred or maintained for commercial purposes.

No commercial vehicles parked on roadway or easments overnight.

All water to be supplied by water district.

The covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the date these covenants are recorded, after which time these covenants shall be automatically extended for successive periods of ten (10) years unless any instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change these covenants in whole or in part.

The foregoing Conditions and Restrictions shall bind and enure to the benefit of, and be enforceable by suit for injunction or for damages by the owner or owners of any of the above described lands, their and each of their legal representatives, heirs, successors or assigns; and a failure either by the owners above named or their legal representatives, heirs, successors or assigns, to enforce any of such conditions or restrictions shall in no event be deemed a waiver of the right to do so thereafter.

Should suit or action be instituted to enforce any of the foregoing restrictions of covenants after written demand the discontinuance of a violation thereof and any failure to do so, then, whether said suit be reduced to decree or not, the owner seeking to enforce or to restrain any such violation shall be entitled to have and recover from such defendant or defendants, in addition to the costs and disbursements allowed by law, such sum as the Court may adjudge reasonable as an attorney fee in such suit or action.

STATE OF OREGON)
County of Klamath) ss.

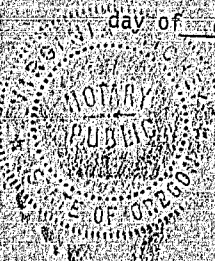
I, EVERETT L. LEACH, being first duly sworn depose and say that the foregoing rules were established by me as those conditions and restrictions relating to MIDLAND HILLS ESTATES SUBDIVISION.

Everett L. Leach

Subscribed and sworn before me, a Notary Public, this 29th

day of April, 1970.

Virginia Bushey
Notary Public for Oregon
My Commission Expires: Sept. 23, 1972



STATE OF OREGON; COUNTY OF KLAMATH, ss.
Filed for record at request of EVERETT L. LEACH

this 29th day of APRIL A. D. 1970 at 2:11 o'clock P M., and duly recorded in
Vol. M. 70 of Deeds on Page 3339

Fee \$3.00

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WM. D. MILNE, County Clerk
By *Kazell Drazil*

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STATE OF OREGON
County of Klamath
April 29 1970
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instrument