CONDITIONS AND RESTRICTIONS
of
NOB HILL SUBDIVISION TRACT #1145 - A resubdivision
of Portions of Nob Hill, Irvington Heights, and
Eldorado Heights, Klamath County, Oregon

We, the undersigned owners and Klamath County Title as Trustee, of the Nob Hill Subdivision #1145 as described in the recorded plat hereby make and declare the following restrictions and limitations upon the ownership and use of said land which shall constitute covenants to run with the land and shall be binding on all parties and persons claiming under them and for the benefit of and limitation upon all future owners. Any future change in the covenants shall be by an instrument signed by two-thirds of the majority of the then owners and recorded agreeing to change in whole or in part.

1. LAND USE AND BUILDING TYPE: No lot shall be used or improved except as in conformity with applicable zoning and land use laws in effect at the time the use commences. Buildings erected are to be approved by the Design Review Committee. The committee's approval or disapporval as required in these covenants shall be in writing. In the event the committee or its designated representative fails to approve or disapprove within thirty (30) days after plans and specifications have been submitted to it approval will not be required. All other conditions and restrictions to be enforced.

Complete construction plans and specifications are to be presented to the Design Review Committee and approved prior to obtaining the city building permit.

2. DESIGN REVIEW COMMITTEE: The Design Review Committee shall be Tim Amuchastegui, E. Marie Owens, Richard W. Sexton, and Ernest J. Borgman at the time the plat is filed and the Klamath County Title as Trustee deeds to the lot owners. Any future assignment of a member of the committee shall be approved by the majority of the committee, and a statement of such designation shall be filed in the Deed Records of Klamath County, Oregon.

3. ENFORCEMENT: Any owner of the property above-described may prosecute any proceedings at law or in equity against any person or persons violating or attempting to violate any covenants herein, either to restrain violation and/or to recover damages or other compensation for such violation.

During normal progression of the development the Design Review Committee may initiate the enforcement of the covenants by seeking injunctive relief through civil courts on behalf of the remaining property owners.

4. DWELLING SIZE: The living area of the main structure of a single family dwelling exclusive of garages, carports, decks and patios, shall be not less than 1,500 square feet.

5. HEIGHT RESTRICTIONS: No dwelling shall be more than 28 feet in heighth. The city regulations shall rule. Houses shall be sited in a manner that minimizes the encrouchment of the neighboring properties views.

6. FENCES AND HEDGES: No hedge in excess of three (3) feet shall be permitted to be maintained from the minim m set-back line to the street. No shrubs, trees or other vegetation shall be maintained on any corner lot that will obstruct traffic view.

7. TEMPORARY STRUCTURES: No structure of a temporary character, trailer, basement, tent, shack, garage, or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently. Campers, trailers, boats, automobiles, etc., may not be parked for storage purposes in the front set-back of the lot.

8. COMPLETION OF CONSTRUCTION: All dwellings shall be completed six (6) months after beginning of construction.

9. LIMITATION ON BUILDING TIME: The maximum time limit to construct a dwelling is five (5) years from the time of original purchase from the lot owner as designated by Klamath County Title, Trustee. If a dwelling is not built within this five (5) year time limit the lot title shall revert to said original lot owner.

10. LANDSCAPE REQUIREMENTS: It shall be the responsibility of the owner to install landscaping no later than one (1) year after the final completion of a dwelling placed on any lot within Nob Hill. The Nob Hill topography is sloping to steep and consideration should be given to this condition in landscaping with erosion in mind as well as beauty.

11. SURFACE DRAINAGE: Special attention shall be given to site surface drainage so that surface waters will not adversely affect neighboring properties.

12. TELEVISION ANTENNAS: No T.V. antennas will be allowed if cable television service is available. No radio antennas will be allowed.

13. LIVESTOCK AND POULTRY: No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not bred, kept or maintained for commercial purposes. Cats are to have the same restrictions as the city regulations for dogs.

The foregoing replaces any restrictions of record.

Dated at Klamath Falls, Oregon, this 13th day of March 1978.

Ernest J. Bergman

Dorothy J. Bergman

Ernest J. Bergman,
Attorney-in-Fact for
Saul W. Shiffman

Ernest J. Bergman
Attorney-in-Fact for
Sybil Shiffman

Richard W. Sexton

Geneva H. Sexton

F. Bruce Owens

E. Marie Owens

Dennis York

Judith York

Tim Michael Amuchastegui

Cecelia Amuchastegui

David R. Burt

Geraldine Burt

Daniel H. Markham

Patricia R. Markham

Klamath County Title Company
an Oregon Corporation
By:

STATE OF OREGON, County of Klamath) ss.
March 22, 1978

Personally appeared Darle Runnels, who being duly sworn did say that she is the secretary of Klamath County Title Company, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon
My commission expires 3-20-81

STATE OF OREGON)
)ss.
COUNTY OF KLAMATH)

THIS CERTIFIES, that on this 22 day of March, 1978 before me, the undersigned, a Notary Public for said state personally appeared the within named ERNEST JI BORGMAN and DOROTHY J. BORGMAN, husband and wife, to me known to be the identical persons described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily for the purposes therein expressed.

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

Notary Public for the State of Oregon
My Commission expires: 9/23/81

STATE OF OREGON)
) ss.
COUNTY OF KLAMATH)

THIS CERTIFIES, that on this 22nd day of March, 1978, before me, the undersigned, a Notary Public for said state personally appeared the within named RICHARD W. SEXTON AND GENEVA H. SEXTON, husband and wife, to me known to be the identical persons described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily for the purposes therein expressed.

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

Notary Public for the State of Oregon
My commission expires: 9/23/81

STATE OF OREGON)
) ss.
COUNTY OF KLAMATH)

THIS CERTIFIES, that on this 22 day of March, 1978, before me, the undersigned, a Notary Public for said state personally appeared the within named J. BRUCE OWENS AND E. MARIE OWENS, husband and wife, to me known to be the identical persons described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily for the purposes therein expressed.

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

Notary Public for the State of Oregon
My commission expires: 9/23/78

STATE OF OREGON)
) ss.
COUNTY OF KLAMATH)

THIS CERTIFIES, that on this 19 day of June, 1978, before me, the undersigned, a Notary Public for said state personally appeared the within named DENNIS C. YORK AND JUDITH F. YORK, husband and wife, to me known to be the indentical persons described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily for the purposes therein expressed.

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

Notary Public for the State of Oregon
My commission expires: June 28, 1978

STATE OF OREGON)
) ss.
COUNTY OF Wasco)

THIS CERTIFIES, that on this 19 day of Mar, 1978, before me, the undersigned, a Notary Public for said state personally appeared the within named TIM MICHAEL AMUCHASTEGUI AND CECELIA AMUCHASTEGUI, husband and wife, to me known to be the identical persons described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily for the purposes therein expressed.

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

Notary Public for the State of Oregon
My commission expires: Mar 28, 1978

STATE OF OREGON)
) ss.
COUNTY OF Clackamas)

THIS CERTIFIES, that on this 20th day of March, 1978, before me, the undersigned, a Notary Public for said state personally appeared the within named DAVID R. BURT AND GERALDINE M. BURT, husband and wife, to me known to be the identical persons described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily for the purposes therein expressed.

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

Notary Public for the State of Oregon
My commission expires: July 2, 1978

STATE OF OREGON)
) ss.
COUNTY OF Klamath)

THIS CERTIFIES, that on this 22 day of March, 1978, before me, the undersigned, a Notary Public for said state personally appeared the within named DANIEL H. MARKHAM AND PATRICIA MARKHAM, husband and wife, to me known to be the identical persons described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily for the purposes therein expressed.

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

Notary Public for the State of Oregon
My commission expires: 9/23/81

Form No. 120—ACKNOWLEDGMENT BY ATTORNEY-IN-FACT

STATE OF OREGON,
County of Klamath } ss.

On this the 22 day of March, 19 78 personally appeared Ernest J. Borgman who, being duly sworn (or affirmed), did say that he is the attorney in fact for Saul W. Shiffman and Dorothy J. Shiffman that he executed the foregoing instrument by authority of and in behalf of said principal; and he acknowledged said instrument to be the act and deed of said principal.

Before me:
Notary Public for Oregon
My commission expires 9/23/81

Return Klamath County Title

(Official Seal)

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 19th day of April A.D., 19 78 at 4:05 o'clock P M., and duly recorded in Vol M78, of Deeds on Page 7560.

FEE $12.00

WM. D. MILNE, County Clerk
By Bernetha M. Retsch Deputy