

46668

AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS
AND RESTRICTIONS, SCHOOLER
TRACT NO. 1135
Recorded April 21st, 1978.
Volume M78, Page
Microfilm Records of
Klamath County, Oregon

This Amendment to Declaration, made this 19th day of April, 1978, by Roger W. and Cheryl Ann Schooler, Wayne Hurley, John Gamache, Robert Carlile, and Mark Smith, hereinafter referred to as "Declarants";

W I T N E S S E T H:

WHEREAS, a Declaration of Covenants, Conditions and Restrictions regarding Schooler Tract No. 1135 was made and recorded July 6, 1977, in Volume M77, Page 12143, Microfilm Records of Klamath County, Oregon, by Roger W. and Cheryl Ann Schooler, therein referred to as "Declarant";

WHEREAS, the above described Declaration governs certain real property in Klamath County, Oregon, owned by Roger W. and Cheryl Ann Schooler, described as follows:

Schooler Tract No. 1135: The SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 9, Range 10 E.W.M., Klamath County, Oregon, according to the fully recorded plat thereof.

WHEREAS, subsequent to the making and recording of the above described Declaration, Schooler Tract No. 1135 was subdivided into Lots 1 through 7, Block 1, Schooler Tract No. 1135, and certain lots have been retained by Roger W. and Cheryl Ann Schooler, and the remaining lots have been sold to Wayne Hurley, John Gamache, Robert Carlile and Mark Smith;

WHEREAS, Declarants listed above, being all of the owners of Lots 1 through 7, Block 1, Schooler Tract No. 1135, wish to amend the Declaration of July 6, 1977, to reflect an agreement among themselves providing for the maintenance and repair of a private road presently running through Schooler Tract No. 1135, and providing that such obligation to maintain and repair such road shall run with the land and be binding on all parties having or acquiring any right, title or interest in Lots 1 through 7, Block 1, Schooler Tract No. 1135;

NOW, THEREFORE, Declarants, being all of the owners of Lots 1 through 7, Block 1, Schooler Tract No. 1135, agree as follows:

1. To share in all costs and expenses necessary to maintain and repair the private road presently running through Block 1 of Schooler Tract No. 1135, with the owner of each lot paying 1/7th of such costs and expenses.

2. To meet at such times and places as shall be necessary to consider expenditures for such repairs and maintenance.

3. To vote upon such expenditures, with the owner of each lot having one vote, and the approval of a majority of such owners being necessary to approve any expenditure.

4. To collect money, and arrange for repair and maintenance, in a manner as shall be approved by a majority of the owners.

5. That this agreement, and this Amendment to the Declaration made and filed on July 6, 1977, shall run with the real property and shall be binding on all parties having or acquiring any right, title or interest in Lots 1 through 7, Block 1, Schooler Tract No. 1135.

6. That this agreement, and this Amendment to the Declaration of July 6, 1977, shall be governed by the General Provisions contained in Article V of the Declaration made and filed on July 6, 1977.

7. That in all other respects the Declaration made and filed July 6, 1977, shall remain unchanged and in full force and effect.

WE, the undersigned owners of Lots 1 through 7, Block 1, Schooler Tract No. 1135, hereby approve of the above Amendment to the Declaration made and filed July 6, 1977, by signing and dating on the appropriate lines.

	DATE
Lot 1, Block 1 <u>[Signature]</u>	<u>4-20-78</u>
Lot 2, Block 1 <u>[Signature]</u>	<u>4-19-78</u>
Lot 3, Block 1 <u>[Signature]</u>	<u>4-19-78</u>
Lot 4, Block 1 <u>[Signature]</u>	<u>4-19-78</u>
Lot 5, Block 1 <u>[Signature]</u>	<u>4-19-78</u>
Lot 6, Block 1 <u>[Signature]</u>	<u>4-19-78</u>
Lot 7, Block 1 <u>[Signature]</u>	<u>4/19/78</u>

AMENDMENT TO DECLARATION -2-

After recording please return to:

Mountain Title Company
407 Main Street
Klamath Falls Oregon 97601

STATE OF OREGON; COUNTY OF KLAMATH; S.

I hereby certify that the within instrument was received and filed for record on the 21st day of April, A.D., 1978 at 10:33 o'clock A. M., and duly recorded in Vol. 878, of Books on Page 7804.

FEE \$6.00

WM. D. MILNE, County Clerk

By [Signature] Deputy