

I, WALTER C. BADOREK, doing business as Sixth Street Auto Wrecking, contract purchaser of the real property described below, for and in consideration of the City of Klamath Falls, a municipal corporation, granting to me a change of zone on the below described property from C-1 (Commercial Zone) to M-1 (Limited Industrial Zone), do hereby covenant and agree with the City of Klamath Falls, a municipal corporation, to the following restrictions, which said restrictions shall inure to and be for the benefit of said City of Klamath Falls, a municipal corporation, only and which said restrictions shall run with the land:

1. That with the exception of Subsection 29, Section 69, Article X as set out in Ordinance No. 5095, which said ordinance is known as Zoning Ordinance in the City of Klamath Falls, none of those uses set out in Article X, Sections 69 and 70, shall be permitted on the below described real property. Subsection 29, of Section 69, Article X shall be allowed.
2. The said Subsection 29 of Section 69, Article X, use shall be completely enclosed by a sight-obscuring fence. Said fence shall be of a height of not less than six feet, and the exterior of said fence shall be landscaped in a reasonable manner to be mutually agreed to between Walter C. Badorek and the Klamath Falls Planning Department, and the exterior of said fence shall be permanently maintained.

These restrictions shall be in effect until such time as the new zoning ordinance for the City of Klamath Falls, currently known as the Community Development Ordinance, shall become effective. At which time the restrictions referred to herein shall terminate, and the uses of the land shall be governed by the provisions of said new zoning ordinance.

The real property to which the above restrictive covenants apply and of which I am the contract purchaser is as follows:

Lots 5, 6, 7, 8 and 9 of Block 2, of Sixth Street Addition to the City of Klamath Falls, Klamath County, Oregon, according to the official plat on file thereof in the office of the County Clerk of Klamath County, Oregon.

DATED this 20th day of November, 1978.

SIXTH STREET AUTO WRECKING, a corporation

By Walter C. Badorek
President

STATE OF OREGON)
County of Klamath) ss.
City of Klamath Falls)

Personally appeared WALTER C. BADOREK and said that he is the President of SIXTH STREET AUTO WRECKING, 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 he acknowledged said instrument to be its voluntary act and deed.

Before me:

RESTRICTIVE COVENANTS,
EXHIBIT B1

Notary Public for Oregon
My Commission Expires: July 26, 1979

After recording, return to City of Klamath Falls, 226 So. 5th Street, Klamath Falls, OR 97601

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 5th day of January A.D., 1979 at 2:40 o'clock PM., and duly recorded in Vol. 179 of Deeds on Page 454.

FEE \$3.00

WM. D. MILNE, County Clerk
By Jacqueline D. Mettles Deputy

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