

95 DEC 26 P1 45

COVENANTS, CONDITIONS & RESTRICTIONS

Marjorie F. Brissenden, Clarence E. Brissenden, Thomas P. Brissenden, and Daniel E. Brissenden are the owners of all of the real property situated in the County of Klamath, State of Oregon, and described as follows: that portion of the SE1/4 SE1/4 of Section 30, Township 39 South, Range 10 East of the Willamette Meridian, lying southerly of the centerline of the No. 17 drain, northerly of the Lost River Diversion Canal, easterly of the U.S.R.S. C-G Canal and bounded on the East by Reeder Road, comprising about 9.44 acres.

For the purpose of the preservation, enhancement and protection of the value, desirability, amenities, and attractiveness of the real properties, the developers deem it desirable to provide regulations, conditions and restrictions for the use and improvement of the real property.

Therefore, the undersigned owners do hereby declare that the following regulations, conditions and restrictions shall become and hereby are made a part of all conveyances, leases, encumbrances and rentals of all of the property within said real property and that the following covenants, conditions, restrictions, easements, liens and charges shall run with the real property and shall be binding on all parties having or acquiring any right, title or interest in the described properties or any part thereof and shall inure to the benefit of each owner thereof:

1. Residential Construction. Residences shall either be built on site or may be a new double wide or triple wide modular home. The residences shall have a minimum of thirteen hundred (1300) square feet of livable space on the ground floor. Livable space shall not include garage, patio, breezeway, storage rooms, porches, decks or similar structures.

2. No Temporary Structures. No basement house, tent, shack, garage, barn or temporary structures erected on a parcel shall at any time be used as a residence, temporarily or permanently. Camper trailers may not be used as a temporary residence; however, a mobile home or a motor home may be so used as a temporary residence during residential construction for a period not to exceed two (2) years.

3. Occupancy. No residence shall be occupied or used for the purpose for which it is designed or built until the same shall have been substantially complete and if required by the County, a certificate to this effect shall have been issued by the appropriate County building authorities.

4. Potable Water Supply. The potable water supply and the sewage disposal system for a parcel shall be located, constructed, equipped and maintained in accordance with the laws and regulations of the State of Oregon and Klamath County.


5. Noxious or Offensive Activity. No noxious, unsafe, or offensive activity shall be conducted upon a parcel nor shall anything be done or placed on a parcel which is or may become a nuisance or cause embarrassment, disturbance or annoyance to adjacent owners.

6. Maintenance of Parcel. A parcel and its improvements shall be maintained in a clean, attractive and safe condition, in good repair and in such a fashion as not to create a fire hazard, odor or visual pollution.

7. Animals. Animals, livestock, poultry of any kind and of such numbers may be raised, bred and kept on a parcel in compliance with applicable State of Oregon or Klamath County regulations and condition number five (5) above.

8. Utility Connections. Except as necessary during construction no above-ground utilities, pipes or wires shall be used to connect a telephone system, power system or other improvements with supplying facilities.

9. Surface Drainage. Site surface drainage shall be maintained so that surface water will not adversely affect neighboring properties.


DANIEL E. BRISSENDEN

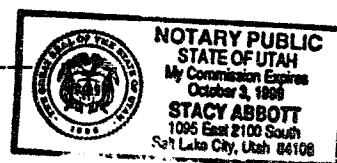
STATE OF UTAH

County of Salt Lake

ss.

The foregoing instrument was acknowledged before me this 19 day of December, 1995, by Daniel E. Brissenden.


Notary Public for Utah
My Commission expires:



Brissenden CCR

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ 26 _____ day
of _____ Dec. _____ A.D., 19 95 at 1:45 o'clock P. M., and duly recorded in Vol. _____ M95
of _____ Deeds _____ on Page 35080

FEE \$15.00

Return: Dan B. Brissenden
4911 Westmoor Road
Salt Lake City, UT 84117

By Bernetha G. Letsch, County Clerk