

THIS AGREEMENT made this day of December, 1996 by and between Rodney E. Pfeiffer, Barbara J. Pfeiffer and R. Dane Pfeiffer as owners of Lots 4, 5, 6 and a portion of Lot 3, TRACT 1265-DEVONRIDGE and that they have the unrestricted right to enter into this agreement relating to the Creation of Easement recorded in Volume M96 at Page 37266 Microfilm Records of Klamath County, Oregon.

The Covenants, Conditions and Restrictions of TRACT 1265-DEVONRIDGE recorded in Volume M95 at Page 24007, Microfilm Records of Klamath County, Oregon, state in paragraph "O.", the following:

"O. DRIVEWAYS: All driveways must be covered with asphalt, concrete or brick within three years of completion of residential construction."

The parties have completed two lot line adjustments subsequent to the plat being filed and have extinguished a 25 foot access easement on the plat and created a 20 foot access and utility easement which is recorded in Volume M96 at Page 37266 Microfilm Records of Klamath County, Oregon.

The parties do hereby enter into this agreement that the 20 foot access and utility easement will be covered by asphalt, concrete or brick within three years of completion of residential construction on that portion of Lots 4 and 6 described in Exhibit "A" and made a part hereof.

The owners at that time of that portion of Lots 4 and 6, described in Exhibit "A" attached hereto, and that portion of Lots 3 and 4 described in Exhibit "B" attached hereto, and also that portion of Lots 3, 4, 5 and 6 described in Exhibit "C" attached hereto, will share the costs of covering the access and utility easement only to the Westerly boundary of parcels described in Exhibit "A" and "B" attached hereto. The remainder of the access driveway as it's created over and across the real property described in Exhibit "C" will be the responsibility of the owner of that portion of Lots 3, 4, 5 and 6 described in Exhibit "C" attached hereto and made a part hereof.

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only to the immediate parties hereto but also their respective heirs, executors, administrators and successors in interest.

In witness whereof, the parties have hereunto set their hands on this the day and year first hereinabove written.

Rodney E. Pfeiffer  
Rodney E. Pfeiffer

Barbara J. Pfeiffer  
Barbara J. Pfeiffer

R. Dane Pfeiffer  
R. Dane Pfeiffer

This instrument was acknowledged this instrument was acknowledged

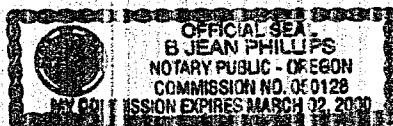
before me on December 17, 1996 before me as by Rodney E. Pfeiffer,

by B. Jean Phillips  
Notary Public for Oregon

My commission expires 3-2-2000

Barbara J. Pfeiffer  
and  
R. Dane Pfeiffer

After recording return to:  
The Pfeiffers  
1403 Devonridge Drive  
Klamath Falls, Oregon 97601



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

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A parcel of land located in the SE1/4 of Section 5, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being portions of Lots 4 and 6, TRACT 1265, DEVONRIDGE and being more particularly described as follows:

Beginning at the Southeasterly corner of Lot 6, TRACT 1265 DEVONRIDGE; thence, along the Easterly line of said Lot 6 North 27 degrees 57' 36" West 179.73 feet; thence, South 48 degrees 20' 08" West 65.39 feet; thence South 00 degrees 12' 06" West 113.88 feet; thence, South 76 degrees 32' 59" East 120.09 feet to the Southwesterly corner of said Lot 6; thence, Northeasterly 31.90 feet along the arc of a 50.00 foot radius curve to the right, the long chord of which bears North 32 degrees 13' 16" East 31.36 feet to the point of beginning.

**EXHIBIT "B"**  
**LEGAL DESCRIPTION**

A parcel of land located in the SE1/4 of Section 5, Township 39 South, Range-9 East of the Willamette Meridian, Clatsop County, Oregon, being portions of 3 and 4, TRACT 1265, DEVONRIDGE and being more particularly described as follows:

Beginning at the Northeasterly corner of Lot 4, TRACT 1265, DEVONRIDGE; thence, North 76 degrees 32' 59" West 120.09 feet; thence, South 00 degrees 23' 17" East 147.54 feet; thence, North 63 degrees 12' 07" East 151.58 feet to the Southwesterly corner of said Lot 4; thence, Northwesterly 57.24 feet along the arc of a 50.00 foot radius curve to the right, the long chord of which bears North 18 degrees 51' 22" West 54.17 feet to the point of beginning; subject to a 20.00 foot wide access easement along the Northerly boundary of the above described parcel.



**EXHIBIT "C"**  
**LEGAL DESCRIPTION**

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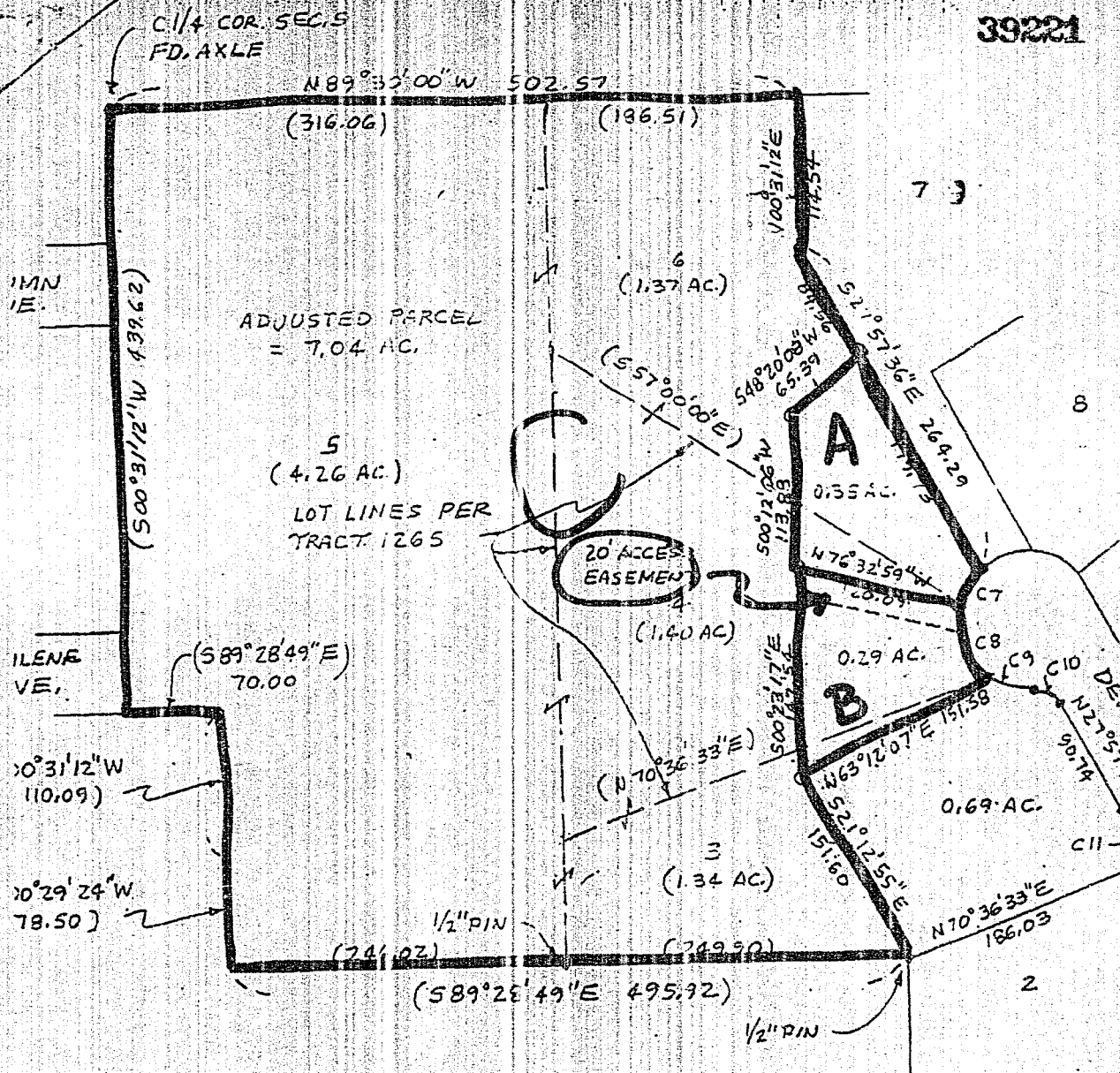
Lot 5 of TRACT 1265 of DEVONRIDGE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

ALSO a parcel of land located in the SE1/4 of Section 5, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being portions of Lots 3, 4 and 6 of TRACT 1265 DEVONRIDGE and being more particularly described as follows:

Beginning at the Northeast corner of Lot 5, TRACT 1265 DEVONRIDGE; thence South 89 degrees 30' 00" East 186.51 feet to the Northeast corner of Lot 6; thence along the Easterly boundary of Lot 6 South 00 degrees 31' 12" West 114.54 feet; thence South 27 degrees 57' 36" East 84.56 feet; thence leaving said Lot 6 boundary, South 48 degrees 20' 08" West 65.39 feet; thence South 00 degrees 12' 06" West 113.88 feet; thence South 00 degrees 23' 17" West 147.54 feet; thence South 27 degrees 12' 55" East 151.60 feet to the Northwest corner of Lot 2, thence North 89 degrees 28' 49" West 249.90 feet to the Southeast corner of Lot 5; thence North 00 degrees 31' 12" East 628.32 feet to the point of beginning. Reference is made to Property Line Adjustment No. 13-96.

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CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C7	50.00'	31.90'	31.36'	S 32°13'16" W	36°33'23"
C8	50.00'	57.24'	54.17'	N 18°51'23" W	65°35'51"
C9	50.00'	35.71'	34.96'	S 72°07'03" E	40°55'32"
C10	20.00'	22.56'	21.38'	N 60°15'12" W	54°37'13"
C11	170.00'	42.79'	42.67'	N 20°44'57" W	14°25'15"

STATE OF OREGON : COUNTY OF KLAMATH:

ss.

Filed for record at request of Ameri title the 18th day  
 of December A.D., 19 96 at 10:45 o'clock A.M. and duly recorded in Vol. M96  
 of Deeds on Page 39217

FEE \$50.00

County Clerk  
 by Bernetha Letsch

*Kathleen Ross*