

1 THIS INDENTURE WITNESSETH, that PEGGY M. STIVERS, who was formerly Peggy M.  
2 Sloan, and ELDON V. STIVERS, her husband; and ROBERT SLOAN and LUCILLE SLOAN,  
3 husband and wife, hereinafter known as Grantors, for the consideration herein-  
4 after stated have bargained and sold and by these presents do grant, bargain,  
5 sell and convey unto DALE L. KENNEDY and PAULINE KENNEDY, husband and wife,  
6 Grantees, the following described premises situated in Klamath County, Oregon,  
7 to-wit:

8 Lot 167 of Third Addition to Sportsman Park, Klamath County, Oregon,  
9 according to the official plat thereof on file in the records of Klamath  
County, Oregon.

10 Subject to: Agreement concerning the operation of the dam and control of  
11 the water levels of Upper Klamath Lake; Reservations and easements con-  
12 tained in the Dedication of Third Addition to Sportsman Park; and any  
13 easements of record; and to the following building and use restrictions  
which grantees, their heirs, grantees and assigns, assume and agree to  
fully observe and comply with, to-wit:

14 (1) That grantees will not suffer or permit any unlawful, unsightly, or  
15 offensive use to be made of said premises nor will they suffer or permit  
anything to be done thereon which may be or become a nuisance or annoy-  
ance to the neighborhood.

16 (2) That they will use said premises solely as a residence or summer  
17 home site.

18 (3) That each said lot shall never be subdivided nor shall any less por-  
19 tion than the whole of said lot ever be sold, leased or conveyed, and  
that no building except one summer home or residence and the usual and  
necessary outbuildings thereto shall ever be erected thereon.

20 (4) That no building shall ever be erected within 10 feet of any exterior  
21 property line.

22 (5) That the foregoing covenants are appurtenant to and for the benefit  
23 of each and every other lot in said Third Addition to Sportsman Park and  
24 shall forever run with the land and shall bind the premises herein con-  
veyed for the benefit of each and every other lot in said addition and  
the foregoing covenants and restrictions shall be incorporated in and  
made a part of each and every other deed or conveyance hereafter executed  
for the purpose of conveying these premises.

25 The true and actual consideration paid for this transfer, stated in terms  
26 of dollars, is \$ 1400.00.

27 TO HAVE AND TO HOLD the said premises with their appurtenances unto the said  
28 grantees as an estate by the entirety. And the said grantors do hereby cove-  
29 nant to and with the grantees, and their assigns, that they are the owners in  
30 fee simple of said premises; that they are free from all incumbrances, except  
31 those above set forth, and those which may have been incurred by grantees; and  
32 that they will warrant and defend the same from all lawful claims whatsoever,

1 except those above set forth and any suffered or created by grantees.

2 IN WITNESS WHEREOF, they have hereunto set their hands and seals this 6th  
3 day of January, 1970.

4 Peggy M. Stivers (SEAL)

5 Eldon V. Stivers (SEAL)

6 Robert Sloan (SEAL)

7 Lucille Sloan (SEAL)

8 By Peggy M. Stivers  
9 their Attorney-in-Fact

10 STATE OF OREGON )  
11 County of Klamath ) SS January 12, 1970

12 Personally appeared the above named Peggy M. Stivers (who was formerly Peggy  
13 M. Sloan) and Eldon V. Stivers, her husband, and acknowledged the foregoing in-  
14 strument to be their voluntary act and deed.

15 Before me:

16 Robert M. Farney  
17 Notary Public for Oregon

18 (SEAL)  
19 My Commission Expires: Feb. 6, 1973

20 STATE OF OREGON )  
21 County of Klamath ) SS January 12, 1970

22 Personally appeared Peggy M. Stivers (who was formerly Peggy M. Sloan) who  
23 being duly sworn, did say that she is attorney-in-fact for Robert Sloan and  
24 Lucille Sloan, husband and wife, and that she executed the foregoing instrument  
25 by authority of and in behalf of said principals; and she acknowledged said  
26 instrument to be the act and deed of said principals.

27 Before me:

28 Robert M. Farney  
29 Notary Public for Oregon

30 (SEAL)  
31 My Commission Expires: Feb. 6, 1973

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State of Oregon, County of Klamath  
Recorded 07/25/00, at 1:54 p. m.  
In Vol. M00 Page 27200  
Linda Smith,  
County Clerk Fee \$ 26<sup>00</sup>

00/Mike BINGAMAN  
601 Spring Creek Dr.  
ASHLAND, OR 97520