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THIS INDENTURE WITNESSETH, that Dale L. Kennedy and Pauline Kennedy, husband and wife, hereinafter known as Grantors, for the consideration hereinafter stated have bargained and sold and by these presents do grant, bargain, sell and convey unto Harold W. Bingaman and Jo Ann Bingaman, husband and wife, Grantees, the following described premises situated in Klamath County, Oregon, to-wit:

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

Subject to: Agreement concerning the operation of the dam and control of the water levels of Upper Klamath Lake; Reservations and easements contained in the Dedication of Third Addition to Sportsman Park; and any 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:

(1) That grantees will not suffer or permit any unlawful, unsightly, or 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 annoyance to the neighborhood.

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

(3) That each said lot shall never be subdivided nor shall any less portion 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.

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

(5) That the foregoing covenants are appurtenant to and for the benefit of each and every other lot in said Third Addition to Sportsman Park and shall forever run with the land and shall bind the premises herein conveyed 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.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1800.00.

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

IN WITNESS WHEREOF, they have hereunto set their hands and seals this 19 day of FEB 1970.

Pauline Kennedy (SEAL)
Helen Kennedy (SEAL)
 _____ (SEAL)
 _____ (SEAL)

KLAMATH County
 STATE OF OREGON

[Signature]
 Notary Public for Oregon

My Commission Expires: 5/5/72

State of Oregon, County of Klamath
 Recorded 07/25/00, at 1:54 p.m.
 In Vol. M00 Page 27202
 Linda Smith,
 County Clerk Fee \$ 26.00

DU
 MIKE BINGAMAN
 661 SPRING CREEK
 ASHLAND, OR 97520