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RECORDING COVER SHEET

ALL TRANSACTIONS, PER ORS 205.234

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

AFTER RECORDING RETURN TO

name and address of the person authorized to receive the instrument after recording, as required by ORS 205.180(4) and ORS 205.238.

Albin Mikolajczyk Trustee
702 Elizabeth Dr.
Orange CA 92667

AMERITITLE has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein

1. NAME(S) OF THE TRANSACTION(S), described in the attached instrument and required by ORS 205.234(a).
Note: Transaction as defined by ORS 205.010 "means any action required or permitted by law to be recorded including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property."

DECLARATION OF CONDITIONS AND RESTRICTIONS

2. DIRECT PARTY, name(s) of the person(s) described in ORS 205.125(1)(b) or GRANTOR, as described in ORS 205.160.

ALBIN B. MIKOLAJCZYK TRUSTEE OF THE MIKOLAJCZYK TRUST DATED MARCH 24, 2000

3. INDIRECT PARTY, name(s) of the person(s) described in ORS 205.125(1)(a) or GRANTEE, as described in ORS 205.160.

n/a

4. TRUE AND ACTUAL CONSIDERATION PAID for instruments conveying or contracting to convey fee title to any real estate and all memoranda of such instruments, reference ORS 93.030.

n/a

5. UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS for instruments conveying or contracting to convey fee title to any real estate, reference ORS 93.260.

n/a

6. FULL OR PARTIAL SATISFACTION, IF ANY, OF THE LIEN CLAIM CREATED BY THE ORDER or WARRANT, for instruments to be recorded in County Clerk Lien Records, reference ORS 205.125(1)(e).

n/a

7. THE AMOUNT OF THE CIVIL PENALTY OR THE AMOUNT, INCLUDING PENALTIES, INTEREST AND OTHER CHARGES, FOR WHICH THE WARRANT, ORDER OR JUDGMENT WAS ISSUED, for instruments to be recorded in County Clerk Lien Records, reference ORS 205.125(1)(c) and ORS 18.325.

n/a

ALBIN B. MIKOLAJCZYK, TRUSTEE OF THE MIKOLAJCZYK TRUST DATED MARCH 24, 2000, owner of the real property described in Exhibit "A" attached hereto and made a part hereof, hereby dedicate the conditions and restrictions designated below as covenants running with the land benefiting the real property.

1. Grading and Fill Restricted. Grading, fill and other earth work shall be only that required for foundations, drive-ways and walk-ways and shall be under and immediately adjacent to structures. Natural topography shall be retained except to the extent necessary for the construction of permitted improvements described below. All construction disturbance shall be corrected so as to restore the ground terrain to its original natural appearance with 90 days following occupancy of the structures built on the site.

2. Temporary Structure. No structure of a temporary nature basement, tent, shack, garage, barn, mobile home, or other out building shall be used on any lot at any time as a residence, either temporary or permanently and no old structures shall be moved or placed onto any of said lots.

3. Surface Drainage. Site surface drainage shall not be so altered, constructed, accelerated or dammed on the subject property or adjacent thereto so as to adversely affect any neighboring properties.

4. Mobile Homes. No mobile homes will be permitted to be placed on any lot. No modular homes will be permitted within the parcels with a height from mudsill to crown of roof of less than twelve feet or without a permanent foundation.

5. Set Back Lines. No dwelling or other building shall be erected with 45 feet of a front property line. Side yard set back lines (including corner lots with a side abutting a street) shall be a minimum of 20 feet from the side property line. In determining the frontage of a corner lot, the lesser dimension fronting a street shall be considered the front, provided however, that a person may align the front of a permitted residence to face the longer street, provided that minimum 45 foot set back is maintained on both the front and side abutting a street.

6. Restrictions as to Single Dwellings. No building shall be erected or altered or used on any lot whatsoever in said parcels except as herein stated for any purpose other than:

A. One single detached dwelling occupied by the owner, his lessee or guests and for residential purposes only.

B. The following buildings incidental to and accessory to residential use and as further restricted and defined below:

1) Garage. Providing that no attached garage exists, a separate structure may be erected to house automobiles of the owner, lessee or guests, and for the use of which no charge is made which may include, subject to size and limitations contained in paragraph 7 below, living quarters or relatives of the owners for the owners, employees or servants.

2) Accessory Building. An accessory building may include storage building, private shop, pump house, well house, including secondary living quarters for relatives of the owner, employee or servants, provided however that no property shall contain more than one additional living unit thereon.

3) Greenhouse. Permitted for private use, but for commercial purposes, construction or use is prohibited.

The purpose of these restrictions is to limit the use and occupancy of any one single lot to any one single family with their necessary servants and appurtenances. In case the owner of any lot leases his premises, the premises must be leased as a whole; the leasing or sub-leasing of any part thereof is expressly forbidden.

7. Standards of Dwellings. No single family dwelling shall be less than 1200 square feet for the main structure, exclusive of porches and garages. No single family dwelling shall exceed 2 stories in height and no allowable residence, garage or accessory building shall exceed 25 feet in height from the highest point of the finished grade surrounding the building or in cases of a declining slope, the natural extension thereof, nor shall any building unnecessarily obstruct the view of any neighboring property.

8. Garages & Accessory Buildings. No private garage nor accessory building shall be erected with a ground floor area in excess of the size of the ground floor area of the primary dwelling and no garage nor accessory building, or combination thereof shall have a combined ground floor space more than 150 percent of the total of the ground floor of the principal dwelling. The maximum height of any allowable garage or accessory building shall not exceed the lesser of the following: 25 feet in height from the highest point of the natural grade surrounding the building; the maximum height of the residential building as measured from the top of the mudsill to crest of the roof, nor shall the highest point of the garage or accessory building be higher than the mean elevation of the crest of the roof of the principal dwelling.

9. Material and Finishes. All residences, garages, and accessory buildings must be finished with the same or complimentary exterior materials. Galvanized, sheet metal, aluminum siding, tar paper, or composition siding will not be permitted on any building or structure. All exterior rough hardware shall be galvanized or otherwise rust resistant. No metal or other reflective roof surfaces shall be permitted and tar and aggregate roof surfaces will be permitted only when the aggregate used is of sufficient size and thickness to ensure full coverage of all asphaltic base coats. Asphaltic tile, or seal down roofs will be permitted but only in gray or brown tones or as approved by the architectural review committee. All roof surfaces of the residence, garage, and accessory buildings shall be the same color and material. All metal surfaces including flues, exposed flashing vents, pipes, trim, etc., shall be anodized or painted to blend with the exterior colors of the dwelling and shall be non-reflective.

10. Sewage. Individual sewage disposal systems shall be by septic tank or other permitted subsurface disposal system. Installation of and construction of sewage systems shall be pursuant to rules, regulations and permit authority of the State of Oregon, Department of Environmental Quality or any political subdivision of the State of Oregon licensed by or delegated responsibilities of enforcement.

11. Fences or Walls. No fence or wall used as a fence shall be erected or maintained on any lot or property line within the front set back areas in excess of 4 feet from the exterior grade of lot. No fence shall be constructed along the frontage of the lot or in cases of corner lots along the front and the side abutting a street out of farm fence posts, barbed wire or rolled wire. No fence or wall used as a fence on any portion of the property shall exceed a maximum height of 6 feet at any point. All fencing abutting a street must match or be compatible with the exterior finish of the house.

12. Storage Areas. All outdoor storage areas, garbage cans, utility boxes, meters, and trash areas shall be fenced or screened with material which matches or is compatible with the exterior finish of the residence. Recreation vehicles including boats, snowmobiles, camper trailers or pickup campers shall be stored in a manner to be out of view of the general public. No damaged, disabled or other vehicle not readily in driving condition, or readily driven or trailered shall be stored on subject property, except if enclosed in a closed garage or accessory building.

13. Television Antennas. No television antennas nor satellite receiver disks shall be placed on the premises in front of any residence, garage, or accessory building. All such antenna or receiver disks shall be visually screened from the public and of such color as to blend with the residence.

14. Animals. No livestock, poultry, houses, or other animals shall be raised, bred, or kept on any lots excepting household pets. Household pets shall be limited by number and type so as to constitute no nuisance to adjoining neighbors or the general public.

15. Commercial Venture. No commercial venture shall be allowed on any of the property herein nor shall any home occupation be permitted which results in the maintenance, repair, storage, fabrication or salvage of vehicles, materials, or equipment on the premises. No signs advertising any business venture shall be permitted.

16. Drive-Way Access & Egress. Shall be subject to approval of Klamath County and shall be limited to 24 feet in width for a single drive and 18 feet in width as to a circular drive.

17. Signs. No sign of any kind shall be displayed to the public view on any lot except one sign not more than 5 square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during construction and sales period, or one sign of not more than 2 square feet providing the names of the residents of the property.

18. Condition of Lots. Each lot shall be maintained in good and clean condition and free of hazards to the adjacent property and to occupants thereof. No lots shall be used or maintained as storage or dumping ground for equipment, vehicles, rubbish, trash, garbage or debris. All waste shall be kept in sanitary containers and shall be protected from animals and out of view. No clothes lines shall be permitted.

19. Landscaping. No tree measuring more than 5 inches in diameter at a point measured 3 feet above the ground shall be cut without approval of the developer, or upon creation thereof of the design review committee, except trees located in the area of one of the structures themselves.

20. Conformance with Plans, Specifications or Requirements of Klamath County Building Department. No excavation shall commence nor foundations be marked or set without the prior submission of plans and specifications, and the approval thereof by the design review committee and by any and all public authorities vested with responsibilities of design review and enforcement of land use planning laws, regulations relating to building code enforcement, regulations regarding to sanitation, fire and life safety, regulations pertaining to access onto public roads, without the prior written approval thereof. No two homes with the same floor plans may be built next to each other.

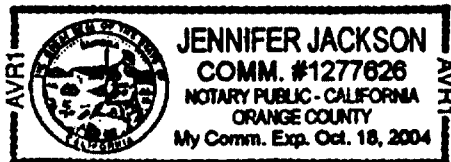
21. Painting and Exterior Colors. All structures located upon the property shall be promptly painted upon completion of construction. No structure shall be painted any pastel color. All earth tone colors will be permitted.

22. Drive-way Surfaces. All areas utilized for parking of vehicles on the subject property shall have a paved, concrete or suitable gravel surface. Areas for parking of vehicles shall be limited to not more than four 10 x 22 foot spaces.

Albin B. Mikolajczyk
Albin B. Mikolajczyk, Trustee

Signed before me this 3rd day of July, 2002 by Albin B. Mikolajczyk
Trustee of the Mikolajczyk Trust/as his voluntary act and deed.
dated March 24, 2000

Jennifer Jackson
Notary Public for California



My commission expires Oct. 18, 2004

After recording return to:

Albin Mikolajczyk, Trustee
702 Elizabeth Drive
Orange California 92867

EXHIBIT "A"

Parcels 1 and 2 of Land Partition 50-99, Parcels 2 and 3 of Land Partition 53-98 and Parcels 2 and 3 of Land Partition 21-90, all situate in the SE1/4 of the NW1/4 of Section 18, township 35 South Range 7 E W M., Klamath County ,Oregon.