

VARIANCE AGREEMENT / EASEMENT

THIS AGREEMENT made and entered into on July 26, 2002, by and between Gary L and Ruth Ann Simmonds-----
Hereinafter called the first party, and Devin T and Karen A Walden-----
-----, hereinafter called the second party, WITNESSETH:

Whereas: The first party is the record owner of the following described real property in Klamath County, State of Oregon, to-wit: Lot 12, Blk 12, Winema Gardens, 4th Addn, aka 1743 Dawn Drive, Klamath Falls, Oregon.
and has the unrestricted right to recommend waiving the five-foot Klamath County Code Variance requirement within a three-foot distance parallel to and along southern boundary/fence line of their property for the length of approximately thirty-five feet on an east-west axis as measured thirty-five feet from front property lines on Dawn Drive. The purpose of recommending waiving variance requirement is for future construction of carport within five foot variance area owned by second party at the northern edge of their property known as Lot 11, Blk 12, Winema Gardens, 4th Addn, aka 1765 Dawn Drive, Klamath Falls, Oregon.

The period of recommending waiving this five-foot variance requirement shall be perpetual, always subject, however, to the conditions, restrictions and considerations of Klamath County.

[Signature of Gary L. Simmonds]
[Signature of Ruth Ann Simmonds]

First Party



STATE OF OREGON, County of Klamath) ss.
This instrument was acknowledged before me on July 26, 2002
by Gary L. Simmonds & Ruth Ann Simmonds
This instrument was acknowledged before me on _____

by _____
as _____
of _____

[Signature of Kristil Redd]
Notary Public for Oregon
My commission expires 11/16/2003

[Signature of Devin T. Walden]
[Signature of Karen A. Walden]

Second Party

STATE OF OREGON, County of Klamath) ss.
This instrument was acknowledged before me on July 29, 2002
by Devin T. Walden & Karen A. Walden
This instrument was acknowledged before me on _____

by _____
as _____
of _____

[Signature of Kristil Redd]
Notary Public for Oregon
My commission expires 11/16/2003



State of Oregon, County of Klamath
Recorded 08/14/2002 3:13 p. m.
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Linda Smith, County Clerk
Fee \$ 21.00 # of Pgs 1