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RECORDING COVER SHEET

FOR CONVEYANCES 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.

State of Oregon, County of Klamath
Recorded 10/21/04 11:29 a m
Vol M04 Pg 71669-73
Linda Smith, County Clerk
Fee \$ 41.00 # of Pgs 5

AFTER RECORDING RETURN TO:

Described in the attached instrument. Required by ORS 205.234(a)

First American Title
422 Main Street
Klamath Falls, OR 97601

NAME(S) OF THE TRANSACTIONS, described in the attached instrument and required by ORS 205.234(a)

Declarations of Conditions and Restrictive Covenants

GRANTOR, as described in ORS 205.160

JK Squared, LLC

418

Declaration of Conditions and Restrictive Covenants
Klamath Meadows East/Barnes Way Subdivision

JK Squared, LLC, owners and developers of Lots 24 through 40 of Tract 1403, First Addition to Klamath Meadows East, a 17 lot subdivision on Barnes Way and Jordan Junction in Klamath County, Oregon hereby declare the following conditions and restrictions governing the construction, development and use of said real property. These conditions and restrictions run with the land and shall be binding on all persons claiming an interest (ownership or leasehold) in the property:

1. **Land Use and Building Codes**

The lots shall be used for residential purposes only. All structures must be "stick-built" construction, no manufactured, modular or factory homes, and must conform to applicable building codes. All setback regulations shall be strictly adhered to. Structures are prohibited on utility easements.

2. **Dwelling Size and Garages**

All dwellings, exclusive of open porches and garages, shall not be less than 1350 square feet. Homes may be single story, split level or two story. Each residence must have an attached garage large enough to accommodate two (2) passenger vehicles.

3. **Building Materials / Design**

Residential buildings shall be "craftsman" style (a well recognized architectural style), which often include features such as low-pitched roof, wide eaves, exposed rafter tails, decorative bracing, porches with columns, dormers, shutters, corbels or similar trim, etc. Building plans must be approved by the Architectural Control Committee, described below.

Minimum construction standards shall include horizontal lap siding on all building surfaces facing Barnes Way or Jordan Junction; architectural-

grade composition roofing in dark brown, gray or black tones; exterior siding paint colors must be earth tones (no white, yellow, pastels, etc.), contrasting trim color(s) (which can be cream or white); front porch with columns, and decorative trim.

4. **Landscaping / Fences**

Within six (6) months of completion of residential construction, purchaser (or owner of the lot if the dwelling has not been sold) is required to complete the landscaping of the front yard of the property. Landscaping shall include grass, plants, shrubbery and at least one tree. No privacy fences are permitted in the front yard. Privacy fences are permitted between houses and around back yard areas. Fencing and landscaping plans must be approved by the Architectural Control Committee.

5. **Parking / Storage**

Parking and storage of boats, house trailers, motor homes, campers, motorcycles, trucks, utility trailers, like equipment, wood piles or accumulation of any materials is prohibited unless confined within a garage, storage port or behind a screening fence, and in no event shall project beyond the front walls of any dwelling or garage. No junked or wrecked vehicles will be permitted anywhere within the subdivision.

6. **Commercial Uses**

No commercial use is permitted on any lot within this subdivision. This prohibition specifically includes the parking of any tractor-trailer, semi-truck, heavy equipment, storage of materials used in a business, or use of a residence as a daycare facility.

7. **Sidewalks**

Purchaser (or owner if dwelling has not sold) is required within 30 days after completion of dwelling or one year after purchase of lot, whichever occurs first, to construct sidewalks along the front (and side in the case of

lots 35 & 39) of the property in conformity with the standards of Klamath County.

8. **Miscellaneous**

No noxious or offensive activity is permitted.

No temporary structures (i.e.-a tent, a portable vehicle garage, etc.) will be permitted on any lot.

No signs are permitted (exception: "for sale", political yard signs, or similar size, temporary signs).

No animals, livestock or poultry may be raised, bred or kept on any lot. Household pets are allowed, provided they are controlled and contained.

Trash, garbage, rubbish, unused equipment and materials shall not be allowed to accumulate and at all times must be contained within enclosures outside of public view.

No outdoor overhead wires, poles, towers, or similar structures are permitted.

9. **Architectural Control Committee**

The Architectural Control Committee (ACC) is responsible for reviewing and approving structure design, building materials, landscaping plans, and all other questions or disputes related to these CC&R's.

The ACC will be comprised of three (3) members. Initial members will include (1) a representative from the developer, JK Squared, LLC, (2) Shanna Everson, property owner in the subdivision, and (3) a third person selected by agreement of the first two members. Members may resign or be removed by a majority vote of subdivision property owners. Vacancies will be filled with individuals who are subdivision property owners, appointed by the remaining ACC members.

Procedure: Plans for proposed structures, swimming pools, landscaping, fences, etc., clearly showing the nature, height, shape,

materials, colors, and site location must be submitted to the ACC at least 15 days prior to the commencement of construction. The ACC must review and formally (by at least a 2/3 vote indicated by placing their initials on the plan documents) approve such plans before construction begins. Disapproval by the ACC must be in writing with an explanation of the reasons for disapproval. Inaction (failure to approve or disapprove) by the ACC after 30 days following submission of plans shall be deemed to constitute approval.

ACC members are charged with acting in good faith for the benefit of the overall subdivision under the guidelines of these CC&R's. No ACC member shall be held personally liable for exercising judgment, providing they act in good faith.

10. Enforcement

Any violation of these conditions and restrictive covenants can result in civil liability. All real property owners within the subdivision shall have the full power and authority to prosecute a civil claim against anyone violating these CC&R's. The prevailing party shall be entitled to injunctive relief, money damages for diminished value to real estate, and all enforcement costs including and award of attorney's fees.

11. Amendment

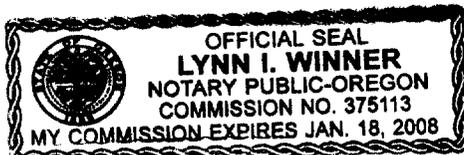
These conditions and restrictive covenants may not be terminated, revoked or amended for a period of two (2) years (until October 1, 2006). Thereafter, these CC&R's may be amended by a majority vote of the owners of the platted lots.

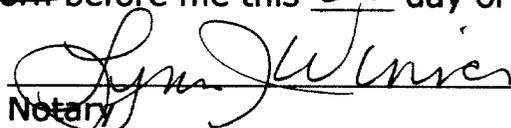
Date: 10/20/04



Jeffrey K. McCollum, Member/Manager
JK Squared, LLC

Notary – Subscribed and Sworn before me this 20 day of October, 2004.





Notary