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09/07/2007 02:55:09 PM

Fee: \$31.00

RETURN TO LEE MORIARTY
24585 DODDS RD
BEND, ORE 97701

AGREEMENT FOR
WAIVER OF DEED RESTRICTION

This Agreement is entered into by and between the parties whose signatures appear below.

RECITALS:

1. On April 23, 2004, a Warranty Deed was recorded with the Clerk of Klamath County, Oregon, in Volume M04 beginning at page 24384, wherein Calvin Keith Caldwell and Deborah Lynn Caldwell, husband and wife, were grantors and Walter E. Dotson, Jr. and Linda L. Dotson, co-trustees of The Walter E. Dotson, Jr. and Linda L. Dotson Revocable Trust dated August 19, 1996 (herein called "Dotsons") were grantees (herein referred to as "the Deed").
2. As partial consideration for the conveyance of the property described in the Deed, Dotsons, the grantees therein, agreed to deed restrictions affecting Parcel 1, Land Partition 61-94, Klamath County, Oregon, a portion of which states as follows: "The following Deed restrictions are placed on Parcel, 1, Land Partition 61-94 for the purpose of protecting the views from the homes located on Parcels 2 and 3 of said Land Partition 61-94: 1. Setbacks for any buildings on said Parcel 1 shall be 200 feet from the East property line of Parcel 1, which is the common property line with parcels 2 and 3 . . ."
3. Lee Nigel Moriarty (herein called "Moriarty"), who is the present owner of Parcel 1, has commenced construction of a residence on it. The residence as constructed is located so that the exterior of the eastern wall lies 196.55' from the East property line of Parcel 1 at the northern corner of the residence and 196.93' from the East property line of Parcel 1 at the southern corner of the residence.
4. Robert Odell Young and Phyllis Aileen Young, co-trustees of the Young Joint Living Trust (herein called "Youngs") are the current owners of Parcel 3 of Land Partition 61-94, Klamath County, Oregon.
5. Dotsons are the current owners of Parcel 2 of Land Partition 61-94, Klamath County, Oregon.

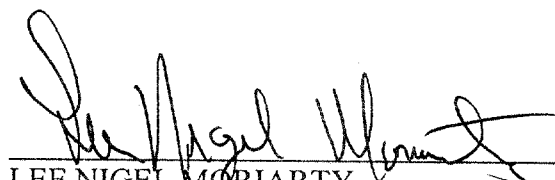
AGREEMENT:

6. For valuable consideration, the receipt of which is acknowledged, Dotsons and Youngs, as the owners of Parcels 2 and 3, consent to the placement of the residence under construction by Moriarty at its present location causing the exterior of the eastern wall to lie 196.55' from the East property line of Parcel 1 at the northern corner of the residence and 196.93' from the East property line of Parcel 1 at the southern corner of the residence, which placement would otherwise be in violation of the restriction recited above.
7. This consent to waive the deed restriction is singular in nature and does not allow any other violation of the deed restrictions in any other particular not mentioned in this agreement.

IN WITNESS WHEREOF, all parties to this agreement have set their hand on the dates written opposite their respective signatures.

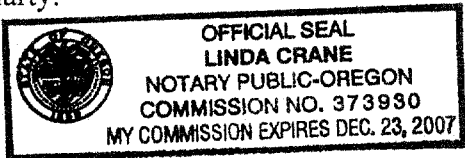
STATE OF OREGON)
) ss.
County of Klamath)

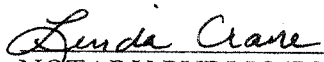
Dated: September 7, 2007



LEE NIGEL MORIARTY


This instrument was acknowledged before me on September 7, 2007, by Lee Nigel Moriarty.





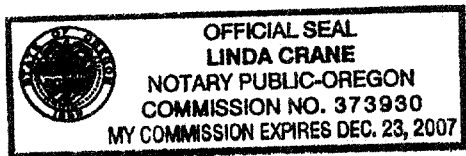
NOTARY PUBLIC FOR OREGON
My Commission expires: 12/23/07

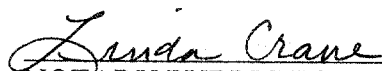
Dated: September 7, 2007



WALTER E. DOTSON, JR., Co-trustee of
The Walter E. Dotson, Jr. and Linda L. Dotson
Revocable Trust dated August 19, 1996

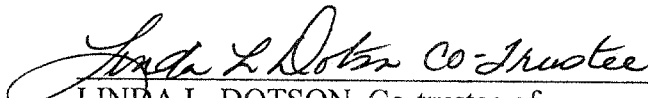
This instrument was acknowledged before me on September 7, 2007, by Walter E. Dotson, Jr., as Co-trustee of The Walter E. Dotson, Jr. and Linda L. Dotson Revocable Trust dated August 19, 1996.





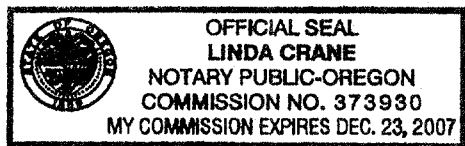
NOTARY PUBLIC FOR OREGON
My Commission expires: 12/23/07


Dated: September 7, 2007



LINDA L. DOTSON, Co-trustee of
The Walter E. Dotson, Jr. and Linda L. Dotson
Revocable Trust dated August 19, 1996


This instrument was acknowledged before me on September 7, 2007, by Linda L. Dotson, as Co-trustee of The Walter E. Dotson, Jr. and Linda L. Dotson Revocable Trust dated August 19, 1996.



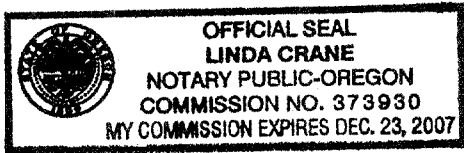


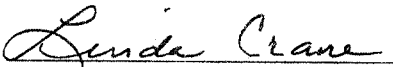
NOTARY PUBLIC FOR OREGON
My Commission expires: 12/23/07

Dated: September 7, 2007

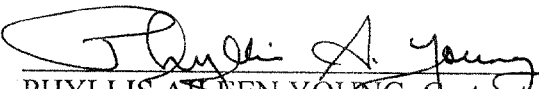

ROBERT ODELL YOUNG, Co-trustee of
The Young Joint Living Trust

This instrument was acknowledged before me on September 7, 2007, by Robert Odell Young, as Co-trustee of The Young Joint Living Trust.

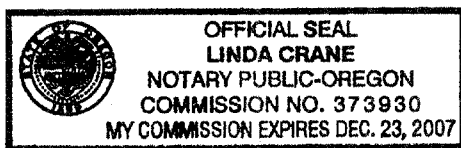


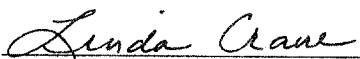

NOTARY PUBLIC FOR OREGON
My Commission expires: 12/23/07

Dated: September 7, 2007


PHYLLIS AILEEN YOUNG, Co-trustee of
The Young Joint Living Trust

This instrument was acknowledged before me on September 7, 2007, by Phyllis Aileen Young, as Co-trustee of The Young Joint Living Trust.




NOTARY PUBLIC FOR OREGON
My Commission expires: 12/23/07