

After recording return to:

Janice Holland

00056511200800156250060067

11/20/2008 11:21:28 AM

Fee: \$46.00

**RESTRICTIVE COVENANT
Primary Structure Building Permit**

The undersigned, being the record owners of all of the real property described as follows; R-3909-012DA-00301-000 + R-3909-012DA-00400-000 and further identified by "Exhibit A" attached hereto, do hereby make the following restrictive covenant(s) for the above-described real property, specifying that the covenant(s) shall run with the land and shall be binding on all persons claiming under such land, and that these restrictions shall be for the benefit of and limitation on all future owners of said real property.

See Attachments for Legal Descriptions

The following restrictive covenant(s) hereafter bind the subject property:

"Tax lots 301 and 400, as described above, shall not be transferred, conveyed, leased, mortgaged or otherwise liened separately from each other but only to identical transferees, mortgagees or lien claimants.

The covenant(s) shall not be modified or terminated except by the express written consent of the owners of the land at the time, and the Klamath County Community Development Department, as hereafter provided.

KLAMATH COUNTY, a political subdivision of the State of Oregon, shall be considered a party to this covenant and shall have the right, if it so desires, to enforce any or all of the covenant(s) contained herein by judicial or administrative proceeding. This covenant is made pursuant to the provisions of the Klamath County Land Development Code.

Dated this 17 day of November, 2008.Jerard D. Golden

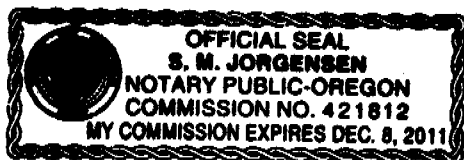
Record Owner

Kristine Golden

Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names Jerard D. Golden and Kristine Golden and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 17 day of November, 2008.



S. M. Jorgensen
Notary Public for State of Oregon
My Commission Expires:

Note: A copy of the recorded instrument must be returned to Community Development before permits can be issued.

EXHIBIT A

(attach copy of legal description)

Lots 10, 11, & 12

Grantor's Name and Address:

Scott D. MacArthur
280 Main Street
Klamath Falls, OR 97601

State of Oregon, County of Klamath
Recorded 04/07/2003 3:28 P m.
Vol M03 Pg 21560-62
Linda Smith, County Clerk
Fee \$ 31.00 # of Pgs 3

Grantee's Name and Address:

Jerald Golden & Kristine Golden
7325 Hager Way
Klamath Falls, OR 97603

After recording return to:

Jerald Golden & Kristine Golden
7325 Hager Way
Klamath Falls, OR 97603

Until a change is requested all tax statements shall be sent to
the following address:
Same

TRUSTEE'S DEED

THIS INDENTURE, Made this 7th day of April, 2003, between Scott D. MacArthur, hereinafter called trustee, and JERALD GOLDEN and KRISTINE GOLDEN, as tenants by the entirety, hereinafter called the second party;

WITNESSETH:

RECITALS: NORMAN E. KOHLER and JEAN A. KOHLER, as grantor, executed and delivered to Klamath County Title Company, as trustee, for the benefit of WILLEM P. SLOOTWEG AND INA C. SLOOTWEG, Trustees of the Sloomweg Loving Trust, Dated July 3, 1991, as beneficiary, a certain trust deed dated April 25, 1997, duly recorded on April 30, 1997, in the mortgage records of Klamath County, Oregon, in volume No. M97 at page 13099. In said trust deed the real property therein and hereinafter described was conveyed by said grantor to said trustee to secure, among other things, the performance of certain obligations of the grantor to the said beneficiary. The said grantor thereafter defaulted in grantor's performance of the obligations secured by said trust deed as stated in the notice of default hereinafter mentioned and such default still existed at the time of the sale hereinafter described.

By reason of said default, the owner and holder of the obligations secured by said trust deed, being the beneficiary therein named, or beneficiary's successor in interest, declared all sums so secured immediately due and owing; a notice of default, containing an election to sell the said real property and to foreclose said trust deed by advertisement and sale to satisfy grantor's said obligations was recorded in the mortgage records of said county on November 27, 2002, at Volume No. M02, at page 69227, to which reference now is made.

After the recording of said notice of default, as aforesaid, the undersigned trustee gave notice of the time for and place of sale of said real property as fixed by the trustee and as required by law; copies of the Trustee's Notice of Sale were served pursuant to ORCP 7D.(2) and 7D.(3) or mailed by both first class and certified mail with return receipt requested, to the last-known address of the persons or their legal representatives, if any, named in ORS 86.740(1)

and (2)(a), at least 120 days before the date the property was sold, and the Trustee's Notice of Sale was mailed by first class and certified mail with return receipt requested, to the last-known address of the guardian, conservator or administrator or executor of any person named in ORS 86.740(1), promptly after the trustee received knowledge of the disability, insanity or death of any such person; the property was vacant and no Notice of Sale was served upon occupants of the property described in the trust deed in the manner in which a summons is served pursuant to ORCP 7D.(2) and 7D.(3) at least 120 days before the date the property was sold, pursuant to ORS 86.750(1). If the foreclosure proceedings were stayed and released from the stay, copies of an Amended Notice of Sale in the form required by ORS 86.755(6) were mailed by registered or certified mail to the last-known address of those persons listed in ORS 86.740 and 86.750(1) and to the address provided by each person who was present at the time and place set for the sale. Further, the trustee published a copy of said notice of sale in a newspaper of general circulation in each county in which the said real property is situated, once a week for four successive weeks; the last publication of said notice occurred more than twenty days prior to the date of such sale. The mailing, service and publication of said notice of sale are shown by one or more affidavits or proofs of service duly recorded prior to the date of sale in the official records of said county, said affidavits and proofs, together with the said notice of default and election to sell and the trustee's notice of sale, being now referred to and incorporated in and made a part of this trustee's deed as fully as if set out herein verbatim. The undersigned trustee has no actual notice of any person, other than the persons named in said affidavits and proofs as having or claiming a lien on or interest in said described real property, entitled to notice pursuant to ORS 86.740(1)(b) or (1)(c).

Pursuant to said notice of sale, the undersigned trustee on April 7, 2003 at the hour of 10:00 o'clock, A.M., of said day, in accord with the standard of time established by ORS 187.110, and at the place so fixed for sale, as aforesaid, in full accordance with the laws of the State of Oregon and pursuant to the powers conferred upon said trustee by said trust deed, sold said real property in one parcel at public auction to the said second party for the sum of \$15,695.46, said second party being the highest and best bidder at such sale and said sum being the highest and best sum bid for said property. The true and actual consideration paid for this transfer is the sum of \$15,695.46.

NOW THEREFORE, in consideration of the said sum so paid by the second party in cash, the receipt whereof is acknowledged, and by the authority vested in said trustee by the laws of the State of Oregon and by said trust deed, the trustee does hereby convey unto the second party all interest which the grantor had or had the power to convey at the time of grantor's execution of said trust deed, together with any interest the said grantor or his successors in interest acquired after the execution of said trust deed in and to the following described real property, to-wit:

Lot 10 HAGER ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

AS TO THAT CERTAIN MOBILE HOME DESCRIBED AS FOLLOWS: 1974 WESTM, HT, SERIAL 70A303106453037, THIS INSTRUMENT SHALL CONSTITUTE A SECURITY AGREEMENT ENTITLING THE BENEFICIARY TO ALL RIGHTS AND REMEDIES UNDER THE UNIFORM COMMERCIAL CODE. SAID MOBILE HOME MAY NOT BE REMOVED FROM THE PROPERTY DESCRIBED HEREIN UNTIL THE BALANCE SECURED HEREBY HAS BEEN PAID IN FULL, OR WITH PRIOR WRITTEN CONSENT OF THE BENEFICIARY.

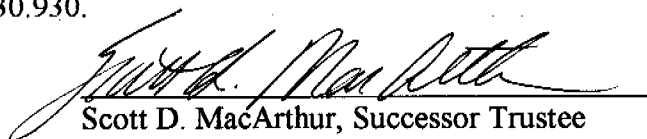
Tax Account No. 3909-012DA-00301-000

TO HAVE AND TO HOLD the same unto the second party, second party's heirs, successors-in-interest and assigns forever.

In construing this instrument and whenever the context so requires the singular includes the plural; the word "grantor" includes any successor in interest to the grantor as well as each and all other persons owing an obligation, the performance of which is secured by said trust deed; the word "trustee" includes any successor trustee, the word "beneficiary" includes any successor in interest of the beneficiary first named above, and the word "person" includes corporation and any other legal or commercial entity.

IN WITNESS WHEREOF, the undersigned trustee has hereunto executed this document; if the undersigned is a corporation, it has caused its corporate name to be signed and its seal affixed hereto by an officer duly authorized thereunto by order of its Board of Directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.


Scott D. MacArthur, Successor Trustee

STATE OF OREGON, County of Klamath)ss.

This instrument was acknowledged before me

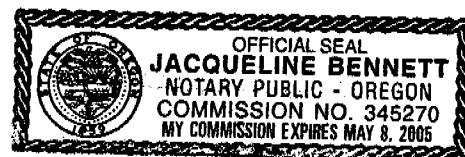
on April 7, 2003, by Scott D.

MacArthur



Notary Public for Oregon

My commission expires _____



WARRANTY DEED

WARRANTY DEED
MTC 32038-JW

KNOW ALL MEN BY THESE PRESENTS, That
PETER M. SUKRAW, TRUDY B. SCHMIDLI and GLORIA S. TUCKER, as tenants in common

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by KRISTINE E. CARLETON, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, the certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of KLAMATH and State of Oregon, described as follows, to-wit:

Lots 11 and 12 in HAGAR ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

MOUNTAIN TITLE COMPANY

"This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses."

check with the appropriate city or county planning department to verify approved uses. AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.020. "

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple and the above granted premises, free from all encumbrances except those of record and those apparent upon the land, if any, as the date of this deed and that

grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

~~XXXXXX The actual consideration paid for this transfer, stated in terms of dollars, is \$ 10,000.00~~
~~XXXXXX However, the actual consideration consists of XXXXXXXXXX items XXXX given or promised, which is the whole/~~
~~XXXXXX part of the consideration (indicate which). (The sentence between the XXXXXXXX if not applicable, should be deleted.~~
 (See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 24 day of January, 1994; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

STATE OF ^{WASHINGTON} OREGON,)
County of PIERCE)
January 24, 1994 ^{ss}

PETER M. SUKRAK

TRUDY B. SCHMIDT

GLORIA S. TUCKER

PETER M. DUKAKIS appeared the above named
TRUDY B. SCHMIDT
GLORIA S. TUCKER

_____ and acknowledged the foregoing instrument
to be their voluntary act and deed.

Before me: Margaret A. Neugent
Notary Public for Oregon WASHINGTON
My commission expires: 2/1/97

STATE OF OREGON, County of _____) ss.
The foregoing instrument was acknowledged before me this
_____, 19____, by _____
_____ president, and by _____
_____ secretary of _____

a _____ corporation, on behalf of the corporation.

Notary Public for Oregon _____

My commission expires: _____ (SEAL)

PETER M. SUKRAW, TRUDY B. SCHMIDLI and GLORIA S. TUCKER

STATE OF OREGON, ss.

KRISTINE E. CARLETON
 5420 OLD MIDLAND ROAD
 KLAMATH FALLS, OR 97603

KRISTINE E. CARLETON
After recording return to
5420 OLD MIDLAND ROAD
KLAMATH FALLS, OR 97603

KRISTINE E. CARLETON
5420 OLD MIDLAND ROAD
KLAMATH FALLS, OR 97603

I certify that the within instrument was received for record on the 8th day of Feb, 19 94, at 11:04 o'clock A M., and recorded in book M94 on page 4386 or as file/reel number 75779.

Record of Deeds of said county.
Witness my hand and seal of County
affixed.

Evelyn Biehn, County Clerk
Recording Officer
By Paul H. Miller, State Auditor

Fee \$30.00

INDEXED

MOUNTAIN TITLE COMPANY

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02-08-94A11:04 RCVD

MOUNTAIN TITLE COMPANY

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