

WTC 1394-10487

AFTER RECORDING RETURN TO:
Don Purio Development Co., LLC
3245 Homedale Rd.
Klamath Falls, OR 97603
(541) 273-5400

2011-005507

Klamath County, Oregon



00101273201100055070030036

05/04/2011 11:22:59 AM

Fee: \$47.00

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HARBOR VIEW

WHEREAS, Harborview LLC, Declarant, filed a Declaration of Conditions and Restrictions relating to a plat designated as Harbor View Subdivision, Tract 1436, located in Government Lot 2, Section 18, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, OR; originally recorded on November 22, 2006 in volume 2006-023387, Microfilm Record KCO.

WHEREAS, the undersigned, being a seventy-five percent majority of property owners within Harbor View wish to modify a portion of those Declarations;

NOW, THEREFORE, the parties hereto agree that Article 4 of the CONDITIONS, COVENANTS & RESTRICTIONS shall be amended to read:

- 4.1.1 Residential Use: Replace with: Lots shall only be used for residential purposes. More than one lot may be used for the construction of a single family home and associated buildings. Harbor View is zoned MD by the City of Klamath Falls. Declarant, so long as it is the owner of any Lot in Harbor View, reserves the right to decide whether any Lot will be used for other than a single family home. When Declarant no longer owns any lots in Harbor View, the ARC, in exercising the rights of review granted to it in Article 8, shall enforce this provision.
- 4.1.2 Minimum Size: Replace with: The minimum square footage of a single family home, exclusive of open porches, garages and outbuildings, shall be 1,700 square feet. The minimum square footage of any one side of a multi-family structure, exclusive of open porches, garages and outbuildings, shall be 800 square feet.
- 4.1.7 Exterior Appearance of Homes: Replace with: Each Dwelling shall have lap siding, unless otherwise approved by the ARC. Tarpaper, roll brick, sheet aluminum, and masonry block shall not be permitted on a Dwelling. T1-11 siding shall be permitted on the 3 inferior sides; the front of Dwelling shall contain lap siding or a comparable material.
- 4.2 Landscaping: ...Delete the line "Except for irrigation, the Association shall maintain the landscaping in the front yards only."

The remainder of the Declaration shall continue without change.

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.

47 AM

We, the undersigned, as owners of Harbor View Subdivision, agree to the foregoing.

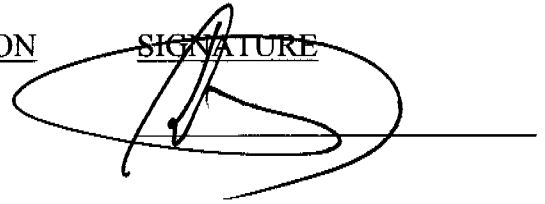
OWNER

Don Purio Development Co.
at Harborview LLC
3245 Homedale Rd.
Klamath Falls, OR 97603

PROPERTY DESCRIPTION

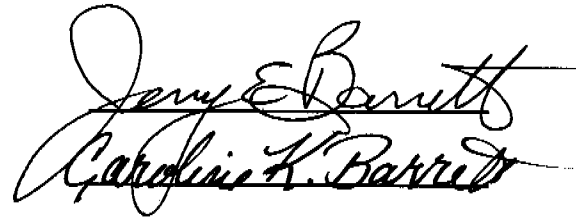
SIGNATURE

Lot 05, Tax Lot 0500
Lot 06, Tax Lot 0600
Lot 07, Tax Lot 0800
Lot 08, Tax Lot 0900
Lot 09, Tax Lot 1000
Lot 10, Tax Lot 1100
Lot 13, Tax Lot 2500
Lot 14, Tax Lot 2600
Lot 16, Tax Lot 2800
Lot 17, Tax Lot 2900
Lot 18, Tax Lot 3000
Lot 19, Tax Lot 3100
Lot 20, Tax Lot 3300
Lot 23, Tax Lot 3600
Lot 24, Tax Lot 3700
Lot 27, Tax Lot 4000
Lot 28, Tax Lot 4100
Lot 31, Tax Lot 4400
Lot 32, Tax Lot 4500
Lot 35, Tax Lot 4800
Lot 36, Tax Lot 4900
Lot 40, Tax Lot 2000
Lot 41, Tax Lot 2100
Lot 42, Tax Lot 2200
Lot 44, Tax Lot 1300
Lot 46, Tax Lot 1600

A stylized, handwritten signature in black ink, enclosed within a large, hand-drawn oval. The signature is positioned over the 'SIGNATURE' header.

Jerry and Caroline Barrett
15596 Swisher Rd.
Merrill, OR 97633

Lot 01, Tax Lot 0100
Lot 02, Tax Lot 0200
Lot 03, Tax Lot 0300
Lot 04, Tax Lot 0400
Lot 11, Tax Lot 2300
Lot 12, Tax Lot 2400
Lot 15, Tax Lot 2700
Lot 21, Tax Lot 3400
Lot 22, Tax Lot 3500
Lot 25, Tax Lot 3800
Lot 26, Tax Lot 3900
Lot 29, Tax Lot 4200
Lot 30, Tax Lot 4300
Lot 33, Tax Lot 4600
Lot 34, Tax Lot 4700

Two handwritten signatures in black ink, stacked vertically. The top signature appears to be 'Jerry E. Barrett' and the bottom one 'Caroline K. Barrett'. They are positioned to the right of the property descriptions.

Lot 37, Tax Lot 1700
Lot 38, Tax Lot 1800
Lot 39, Tax Lot 1900
Lot 43, Tax Lot 1400
Lot 45, Tax Lot 1500

Dated this 29th day of April, 2011.

Don Purio, Member, Don Purio Development Co. at Harborview LLC

Jerry Barrett
Jerry Barrett, Owner

Caroline Barrett
Caroline Barrett, Owner

STATE OF OREGON)

) ss.

County of KLAMATH)



SUBSCRIBED AND SWORN TO BEFORE ME THIS 29th DAY OF April, 2011.

Melissa Peterson
Notary Public for Oregon