

AFTER RECORDING:  
DENNIS & SHARI ERICKSON  
PO BOX 1172  
CRESCENT LAKE JCT, OR  
97733

DEED RESTRICTION---- VIEW EASEMENT

Recitals

2014-010160  
Klamath County, Oregon  
10/01/2014 09:12:44 AM  
Fee: \$52.00

The purpose of this view restriction is to identify and preserve a view corridor for the benefit of lot #23 across lot #21 located at Diamond Peaks Leisure Woods I & II. Tract 1355 as defined below.

**Whereas:**

#1 Darrell Shepard owns and controls the use of two properties at Diamond Peak Leisure Woods I & II. Specifically those two properties are lots #23 Legal description; 2407-007D0-08400 Tract 1355 address 141588 Red Cone Dr. Crescent Lake Junction, Oregon hereafter referred to as "the benefited property."

and lot # 21, Legal description; 2407-007D0-08300 Diamond Peaks Tract 1355. hereafter known as "the burdened property."

#2 As owner of both properties Darrell Shepard can convey a deed final for "the benefited property." with a deed restriction on "the burdened property."

#3 Lot #21, "the burdened property." and lot # 23 "the benefited property." properties share an abutting property line on the northerly/southerly boundary line in common.

#4 "With the exception of a fence, no taller than six feet in height, no structure shall be built on "the burdened property" for the first 100 feet of the northerly/southerly abutting property line between Lots #21 and #23 measured from the easterly/westerly boundary line and to a point of 75 feet measured from easterly/westerly line abutting lot in common with 20 tax lot 8200.

Trees or vegetation on the burdened property shall not exceed the height of 20 feet or otherwise restrict the view corridor described here.

NOTE: easterly/westerly burdened boundary line is at the right as viewed from downhill.

NOTE: the 100 foot mark projects westerly at an angle from common property lines across burdened property to a point of 75 feet at "the burdened" properties. See attached figure #1 illustrating area.

#5 This view easement does not allow physical access to "the burdened property."

#6 Enforcement; "The owner of "the benefited property." shall have the sole enforcement authority for this view easement, and may do so by bringing an action for declaratory or injunctive relief in the Circuit Court of the State of Oregon for Klamath County.

#7 Consideration" The consideration for this Deed Restriction - View Easement is included in the sale price for Lot #23, "the benefited property." Darrell Shepard's sale of 2407-007D0-08400 Tract 1355 Diamond Peaks Lot #23 located at 141588 Red Cone Drive, Crescent Lake Junction, Oregon, is made to Dennis Richard Erickson and Shari Beth Taylor Erickson. This Deed Restriction - View Easement on Lot #21, "the burdened property." shall be recorded with Klamath County simultaneously with the closing of the purchase of Lot #23, "the benefited property."

#8 The terms, duration and conditions of this Deed Restriction-View Easement shall not be amended or revised without written agreement of Dennis Richard Erickson and Shari Beth Taylor Erickson as owners of lot #23 Legal description; 2407-007D0-08400 Tract 1355 located at 141588 Red Cone Drive, Crescent Lake Junction, Oregon or their successors or assigns.

#9 This Deed Restriction-View Easement is intended to be unlimited in duration, unless and until amended, revised, or removed in accordance with paragraph 8.

Recorded by AmeriTitle as an accommodation only. No liability is accepted for the condition of title or for the validity, sufficiency, or effect of this document.

\* Dated this 20<sup>th</sup> day of SEPTEMBER, 2014

~~DARRELL SHEPARD~~

~~DARRELL SHEPARD~~

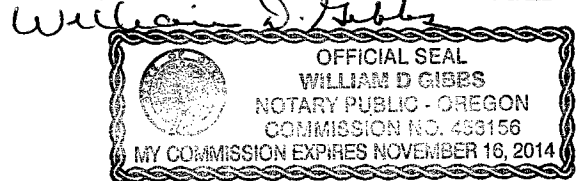
Darrell Shepard ~~SHEPARD~~, PRES., D.S.S. CONSTRUCTION, INC. \*

*Darrell Shepard*

Sale of property in Oregon Klamath County

This instrument was acknowledged before me on SEPTEMBER 28<sup>th</sup>, 2014  
SHEPHERD, PRES., D.S.S. CONSTRUCTION, INC.

BY DARRELL S. (Notary Public for Oregon) commission expires 11-16-2014



Return To:  
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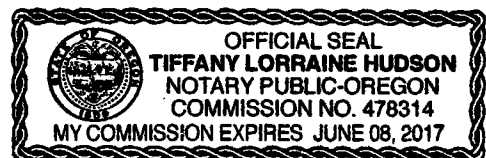
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Dated this 26 day of Sept, 2014.

Dennis Richard Erickson

Shari Beth Taylor Erickson

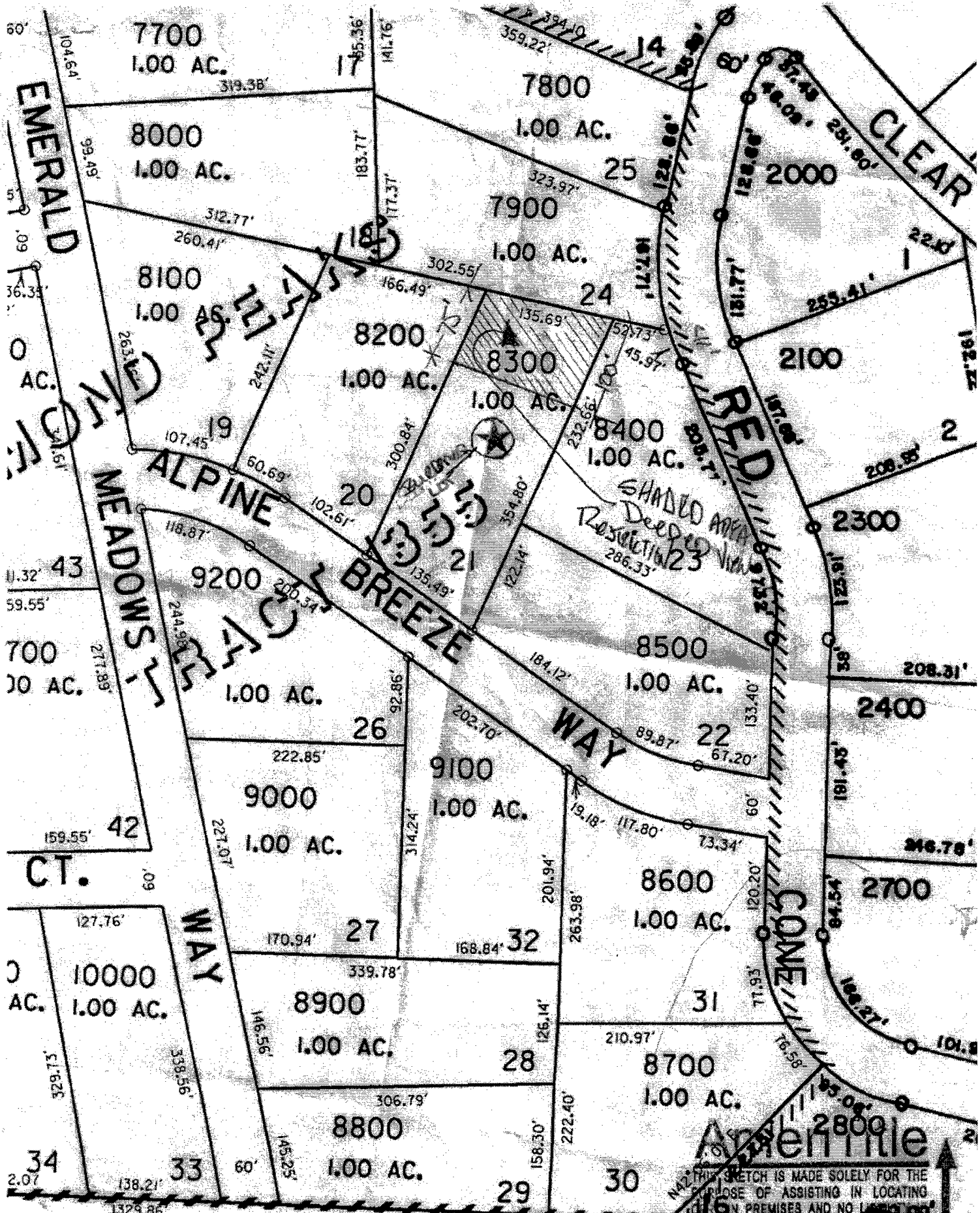


Sale of property in Oregon Klamath County

This instrument was acknowledged before me on Sept 26, 2014

DENNIS RICHARD ERICKSON AND  
SHARI B. TAYLOR ERICKSON

(Notary Public for Oregon) commission expires 6/8/17



Apprentice  
THIS SKETCH IS MADE SOLELY FOR THE  
PURPOSE OF ASSISTING IN LOCATING  
THE PREMISES AND NO WARRANTY IS  
MADE FOR THE ACCURACY OF ANY  
DIMENSIONS AND LOCATIONS ASCERTAINED  
BY ACTUAL SURVEY.

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