

2018-004198

Klamath County, Oregon

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AFTER RECORDING, RETURN TO:

TIMBERMILL SHORES, INC.
P. O. Box 257
KLAMATH FALLS, OR 97601

**FIRST AMENDMENT TO
RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF TIMBERMILL SHORES**

Declarants **TIMBERMILL SHORES, INC.**, an Oregon corporation, and **PINE CONE, LLC**, an Oregon Limited Liability Company, revoke the legal description for **PARCEL IV** of the Legal Description set out in the Exhibit "A" to the Restated Declaration of Covenants, Conditions and Restrictions of Timbermill Shores, recorded as M06-11103, Klamath County, Oregon.

Declarants reincorporate the legal description set out in the original Declarations of Timbermill Shores recorded as M01-29962, Klamath County, Oregon and attach it hereto as Exhibit A. The attached Exhibit A includes the correct description for the revoked **PARCEL IV**.

Except as amended and revoked herein, the Restated Declaration of Covenants, Conditions and Restrictions of Timbermill Shores and other legal descriptions therein are hereby reaffirmed and restated.

DATED this 5 day of April, 2018.

TIMBERMILL SHORES, INC.
P. O. Box 257
Klamath Falls, OR 97601

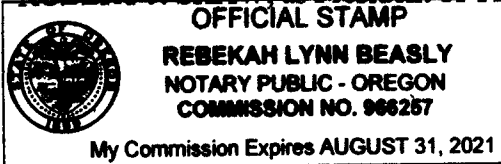
PINE CONE, LLC
P. O. Box 257
Klamath Falls, OR 97601

By [Signature]
Robert J. Shaw, Its President

By [Signature]
Robert J. Shaw, Its Operating Manager

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on this 5 day of day of April, 2018 by **ROBERT J. SHAW** as President of Timbermill Shores, Inc.

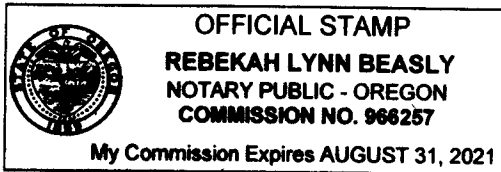


[Signature]
Notary Public for Oregon

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STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on this 5 day of day of April, 2018 by ROBERT J. SHAW, as the Operating Manager of Pine Cone, LLC.



Rebekah Lynn Beasly
Notary Public for Oregon

Unofficial Copy

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- Parcel I:** Parcel 1 as shown on the Plat of Klamath County Land Partition No. 43-00.
- Parcel II:** Parcel 3 as shown on the Plat of Klamath County Land Partition No. 43-00.
- Parcel III:** All of Blocks 71, 72, 86, 87, 88, 89, 90, 91, 99, 100, 101, 102, 108, 109, 110, and 111, the South one half of Block 73, and Lots 6, 7, and 8 in Block 85, Klamath Addition to the City of Klamath Falls, together with all those portions of the vacated streets and alleys that inure thereto.
- Parcel IV:** A rectangular parcel 7 feet by 10 feet located in the most Southerly corner of Lot 3, Block 75, of KLAMATH ADDITION to the City of Klamath Falls, Oregon, the most Southerly corner of said parcel being coincident with the most Southerly corner of said Lot 3 and particularly described as beginning at the most Southerly corner of said Lot 3, thence Northeasterly on the northerly line of the alley 7 feet; thence Northwesterly parallel to Fourth Street 10 feet; thence at right angles Southwesterly 7 feet to the line between Lots 3 and 4 of said Block 75; thence Southeasterly on said last mentioned line to the place of beginning.
- Parcel V:** Beginning at the most Easterly corner of the parcel of land described as Parcel No. II in deed from Harry M. Ackley, et al., to Central Pacific Railway Company, dated October 25, 1926 and recorded in Volume 72 of Deeds at page 504, Records of Klamath County, State of Oregon, said corner being described in said deed as being in the Southwesterly line of Block 88, KLAMATH ADDITION to the City of Klamath Falls, at a point distant thereon North 51 degrees 04' West, 18 feet from the South corner of said Block 88; thence along the Southeasterly line of said Parcel No. II the following four courses: (1) South 74° 15' West, 30.00 feet, (2) South 82° 51' West, 271.00 feet, (3) South 69° 28' West, 74.00 feet and (4) South 55° 28' West, 99.00 feet to a point; thence South 38° 48' West, 1.90 feet to a point; thence South 38°40' West, 60.00 feet to a point in the Northeasterly prolongation of a line which is parallel with and distant 200 feet Southeasterly measured at right angles from the Southeasterly line of that portion of Klamath Avenue (60 feet wide) bearing North 66 degrees 32' East; thence South 66 degrees 32' West along said prolongation and parallel line 689.89 feet

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to a point in the Southeasterly prolongation of the Northeasterly line of Payne Alley; thence North 23° 28' West along said prolongation 200.00 feet to a point in said Southeasterly line of Klamath Avenue; thence North 66° 32' East along last said line 586.00 feet to a point; thence South 50° 55' East, 114.32 feet; thence North 74° 03' 20" East, 73.23 feet to a point in the Southwesterly line of the Center Street lot; thence North 50° 55' West along said Southwesterly line 19.24 feet to the most Westerly corner of the parcel of land described as Parcel No. I in said deed dated October 25, 1926; thence along the Northerly line of Parcels No. I and II of last said deed the following six courses: (1) Easterly along a curve to the left having a radius of 370.78 feet through a central angle of 12° 08' 17" (chord of said curve bears North 79° 15' East, 78.40 feet) an arc distance of 78.55 feet, (2) North 64° 48' East, 15.30 feet, (3) North 67° 48' East, 48.89 feet, (4) North 64° 48' East, 11.50 feet, (5) Easterly along a curve to the right having a radius of 586.359 feet through a central angle of 25° 31' 44" (chord of said curve bears North 77° 47' East, 259.10 feet) an arc distance of 261.26 feet and (6) Easterly along a curve to the left having a radius of 561.552 feet through a central angle of 7° 54' 49" (chord of said curve bears North 86° 33' 40" East 77.93 feet, shown as North 86° 35' East 77.50 feet in last said deed) an arc distance of 77.99 feet to a point in said Southwesterly line of Block 88; thence South 51° 04' 00" East, along last said line 51.20 feet to the point of beginning.

Parcel VI: Beginning at the Southwesterly corner of Center Street and Klamath Street, also known as Klamath Avenue, Klamath Falls, Oregon; thence Westerly from said corner along the Southerly line of said Klamath Street (also known as Klamath Avenue), 60 feet; thence Southerly at right angles with said Southerly line of Klamath Street, also known as Klamath Avenue, and parallel with the extension of the Westerly line of said Center Street to the water line of Lake Ewauna; thence Easterly along the water line of said Lake Ewauna to the intersection with the extension of said Westerly line of Center Street; thence Northerly along the Westerly line of said Center Street to the place of beginning, being a portion of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, and according to the plat of Linkville and Klamath Falls, as recorded in the office of the County Clerk of Klamath County, Oregon.

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Parcel VII: Beginning at a point 70 feet North and 51° 4' West of the West corner of Block 71 in said Klamath Addition, and 30 feet South 38° 56' West, thence South 51° 4' East to Lake Ewauna; thence along the meander line of said river or lake Westerly to the intersection of the extension of the West line of Center Street in Klamath Falls, Oregon, thence North 51° 4' West to the East corner of Block 31 in ORIGINAL TOWN OF KLAMATH FALLS, thence North 38° 56' East 30 feet to the place of beginning, as described in Deed, Book 68, page 591. EXCEPT that portion of said tract which lies in Klamath Street or Avenue.

SAVING AND EXCEPTING therefrom the following described parcel of property:

That portion of Block 74, Klamath Addition, City of Klamath Falls, Klamath County, Oregon, the vacated alley located in said Block 74 and the adjoining portion of vacated Walnut Avenue, described as follows:

Beginning at a point located 250' 7" S 38°58'00" W and 87' 6" S 51°04'00" E of the Northerly corner of Lot 1, Block 74, Klamath Addition, City of Klamath Falls; thence N 51°04'00" W 87' 6" to the Southerly right of way line of Klamath Avenue; thence N 38°58'00" E 250' 7" to the Northerly corner of said Lot 1, Block 74, which is also the intersection of the Southerly right of way line of Klamath Avenue and the westerly right of way line of 4th Street; thence S 51°04'00" E along the westerly right of way line of 4th Street 221' 6" to a point; thence S 38°58'00" W and parallel to the Southerly right of way line of Klamath Avenue 124' 9" to a point; and thence Westerly 189' 4" +/- to the point of beginning.

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