

AFTER RECORDING RETURN TO:
 Klamathhoof LLC
 c/o Dickerhoof Properties, LLC
 PO Box 1800
 Corvallis, OR 97339

2019-000476

Klamath County, Oregon

01/16/2019 02:29:01 PM

Fee: \$112.00

**AMENDMENT
 TO
 DECLARATION OF EASEMENTS, COVENANTS,
 CONDITIONS AND RESTRICTIONS**

THIS AMENDMENT TO DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS is made and entered into this 16th day of January, 2019, by and between **Klamath-Jefferson LLC**, an Oregon limited liability company ("Jefferson") and **Jefferson Square of Klamath, L.L.C.**, an Oregon limited liability company ("Square").

RECITALS:

A. Jefferson and Square are the owners of all of the real property described in that certain Declaration of Easements, Covenants, Conditions and Restrictions dated December 12, 2005, recorded December 21, 2005 as M05-71541, records of Klamath County, Oregon (the "Declaration").

B. The parties desire to amend the Declaration.

C. The real property described in the Declaration is attached hereto as Exhibit "A" and Exhibit "B" and by this reference incorporated herein.

NOW, THEREFORE, it is mutually agreed as follows:

1. The Recitals are incorporated herein by this reference.
2. The Declaration is hereby amended by deleting Section 4.2 and Exhibit D (together with all references in the Declaration to Exhibit D) in their entirety.

3. Except as amended hereby, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment to Declaration of Easements, Covenants, Conditions and Restrictions as of the day and year first above written.

KLAMATH-JEFFERSON LLC,
an Oregon limited liability company

JEFFERSON SQUARE OF KLAMATH,
L.L.C., an Oregon limited liability company

By: 
Darren Dickerhoof, Manager

By: _____
Walter Seput, Manager

[Notary acknowledgements appear on following page(s)]

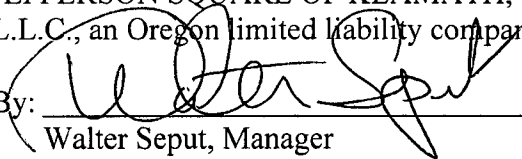
3. Except as amended hereby, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment to Declaration of Easements, Covenants, Conditions and Restrictions as of the day and year first above written.

KLAMATH-JEFFERSON LLC,
an Oregon limited liability company

By: _____
Darren Dickerhoof, Manager

JEFFERSON SQUARE OF KLAMATH,
L.L.C., an Oregon limited liability company

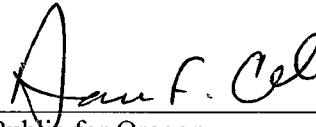
By:  _____
Walter Seput, Manager

[Notary acknowledgements appear on following page(s)]

STATE OF OREGON)
) ss.
County of BENTON)

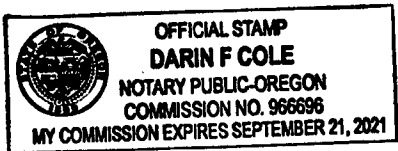
I certify that **Darren Dickerhoof** appeared personally before me and that I know or have satisfactory evidence that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as **Manager** of **Klamath-Jefferson LLC**, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 15 day of January, 2019.



Notary Public for Oregon

My Commission Expires: September 21, 2021




[illegible]

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Signature _____ (Seal)

I certify that **Walter Seput** appeared personally before me and that I know or have satisfactory evidence that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as **Manager of Jefferson Square of Klamath, L.L.C.**, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

 OFFICIAL STAMP
STACY MARIE HOWARD
NOTARY PUBLIC- OREGON
COMMISSION NO. 944002
MY COMMISSION EXPIRES OCTOBER 19, 2019

My Commission Expires: 10-19-19

EXHIBIT "A"
(Legal Description of Parcel A)

PARCEL 1 OF LAND PARTITION 48-05

A PARCEL OF LAND SITUATED IN THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST, WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY OF THE O C & E RAILROAD AND THE SOUTHEAST CORNER OF SURVEY NUMBER 6149, KLAMATH COUNTY RECORDS, EVIDENCED BY A 5/8" PIN WITH CAP MARKED "ADKINS CONSULT. ENGRS. INC."; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, NORTH 66°57'30" WEST, 676.16 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY, NORTH 66°57'30" WEST, 305.83 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF WASHBURN WAY; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY, NORTH 00°02'35" WEST, 503.42 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY, SOUTH 55°52'30" EAST, 306.28 FEET; THENCE NORTH 34°07'30" EAST, 160.00 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY OF SOUTH SIXTH STREET, SAID POINT BEARS SOUTH 34°07'30" WEST, 1.00 FEET FROM A PK NAIL WITH WASHER; THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY, SOUTH 55°52'30" EAST, 186.11 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE LEAVING SAID SOUTHWESTERLY RIGHT-OF-WAY, ALONG THE ARC OF A 30.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 59°30'55", AN ARC DISTANCE OF 31.16 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 09°02'40" WEST, 29.78 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 34°08'37" WEST, 58.41 FEET; THENCE SOUTH 23°03'50" WEST, 165.53 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 12.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 58°23'32", AN ARC DISTANCE OF 12.23 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 55°39'40" WEST, 11.71 FEET) TO A POINT OF NON-TANGENCY; THENCE SOUTH 23°06'46" WEST, 263.87 TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4.49 ACRES, MORE OR LESS.

THE BASIS OF BEARING IS PER SURVEY NUMBER 6149, KLAMATH COUNTY RECORDS.

EXHIBIT "B"
(Legal description of Parcel B)

PARCEL 2 OF LAND PARTITION 48-05

A PARCEL OF LAND SITUATED IN THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST, WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INITIAL POINT, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY OF THE O C & E RAILROAD AND THE SOUTHEAST CORNER OF SURVEY NUMBER 6149, KLAMATH COUNTY RECORDS, EVIDENCED BY A 5/8" PIN WITH CAP MARKED "ADKINS CONSULT. ENGRS. INC."; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, NORTH 66°57'30" WEST, 676.16 FEET; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, NORTH 23°06'46" EAST, 263.87 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE ALONG THE ARC OF A 12.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 58°23'32", AN ARC DISTANCE OF 12.23 FEET (THE LONG CHORD OF WHICH BEARS NORTH 55°39'40" EAST, 11.71 FEET) TO A POINT OF TANGENCY; THENCE NORTH 23°03'50" EAST, 165.53 FEET; THENCE NORTH 34°08'37" EAST, 58.41 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 30.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 59°30'55", AN ARC DISTANCE OF 31.16 FEET (THE LONG CHORD OF WHICH BEARS NORTH 09°02'40" EAST, 29.78 FEET) TO A POINT OF NON-TANGENCY ON THE SOUTHWESTERLY RIGHT-OF-WAY OF SOUTH SIXTH STREET; THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY, SOUTH 55°52'30" EAST, 608.91 FEET TO A POINT THAT BEARS SOUTH 34°07'30" WEST, 1.00 FEET FROM A PK NAIL WITH WASHER; THENCE LEAVING SAID SOUTHWESTERLY RIGHT-OF-WAY, SOUTH 34°07'49" WEST, 203.96 FEET; THENCE SOUTH 55°53'51" EAST, 145.07 FEET; THENCE SOUTH 34°06'32" WEST, 183.85 FEET TO SAID INITIAL POINT.

SAID PARCEL CONTAINS 6.76 ACRES, MORE OR LESS.

THE BASIS OF BEARNG IS PER SURVEY NUMBER 6149, KLAMATH COUNTY RECORDS.