

93707

Vol. <sup>111</sup> 74 Page 13172

BOARD OF COUNTY COMMISSIONERS

In and For the County of Klamath, State of Oregon

IN THE MATTER OF THE  
COMPREHENSIVE LAND USE  
PLAN CHANGE ASSOCIATED  
WITH ZONE CORRECTION NO.  
74-51 BY ARTHUR AND  
CAROLYN JOHNSON

O R D E R

This matter having come on for hearing upon the application of Arthur and Carolyn Johnson, said change application being numbered Zone Correction No. 74-51 and the Comprehensive Land Use Plan map for the Keno Area having been heretofore recommended to be changed from Agriculture to Recreation Residential designation by the Klamath County Planning Commission because of a mapping error, a description of the real property referred to in said application being marked Exhibit A, attached hereto and by reference made a part hereof, and a public hearing on said application having been regularly held on September 9, 1974, before the Board of Commissioners, and it appearing to said Board of Commissioners from the testimony, reports, and information produced at said hearing by the applicant, the Planning Commission and Planning Department, that the application should be granted, the Board of Commissioners makes the following findings of fact:

1. The applicant's property, containing less than five (5) acres, and having been used for residential purposes prior to the adoption of the Comprehensive Land Use Plan on August 22, 1972, is surrounded by Recreation-Residential designated land.
2. The Land Use Study preceding the adoption of the Comprehensive Land Use Plan had included and properly identified the use of the applicant's property but the Planning staff had failed to properly designate the applicant's land on the Land Use Map for the Keno area.



ORDER: C.L.U.P. ASSOCIATED WITH  
ZONE CORRECTION 74-51  
ARTHUR AND CAROLYN JOHNSON  
Page 2 of 2

13173

3. Section 11.007 and Article 112, as amended, of the Ordinance No. 17, requires that Klamath County initiate correction of mapping errors on the Comprehensive Land Use Plan maps, and the Klamath County Planning Director affirmed that a mapping error had been made on the Land Use Plan map for the Keno area.

Based upon the above findings of fact, the Board reaches the following conclusions of law:

1. The Planning Commission acted properly in initiating and recommending to the Board of Commissioners a correction from Agriculture to Recreation Residential; and

2. There was a mapping error on the Comprehensive Land Use Plan for the Keno Area which, as originally adopted, should have shown the Recreation Residential designation on the applicant's property as described in Exhibit A, attached hereto and by reference made a part hereof.

NOW, THEREFORE, IT IS HEREBY ORDERED that the application of Arthur and Carolyn Johnson for a change in the Comprehensive Land Use Plan associated with the application for Zone Correction 74-51, involving the Keno Area Map, the application for said land use change being from Agriculture to Recreation Residential, a particular description of the real property referred to in said application being marked Exhibit A, attached hereto and by reference made a part hereof, is hereby approved because of a mapping error.

DONE AND DATED THIS 8<sup>th</sup> day of October 1974.

*Bryan Williams*  
Chairman of the Board

*Kathy*  
County Commissioner

*Hugh J. [unclear]*  
County Commissioner

Approved as to form  
*Harry D. Boivin*  
Harry D. Boivin, Legal Counsel



13174

EXHIBIT A  
LEGAL DESCRIPTION  
ZONE CHANGE 74-51

The following described real property situate in Klamath County, Oregon:

A tract of land situate in the Northwest quarter of Section 31, Township 39 South, Range 8 East of the Willamette Meridian, and being more particularly described as follows:

Beginning at a point on the East line of the NW1/4 of Section 31, Twp. 39 S., R. 8 E.W.M., from which the Southeast corner of the NE1/4 of the NW1/4 of said Section 31 bears South 0°21'40" East 648.11 feet distant; thence South 43°08' West 1012.81 feet to the Northeastly right of way of the Clover Creek Road; thence South 46°52' East along said right of way 200.0 feet; thence West 43°08' East 992.82 feet to the East line of said Northwest quarter; thence North 0°21'40" West 290.57 feet more or less to the point of beginning.

STATE OF OREGON,  
County of Klamath,  
Filed for record at request of  
KLAMATH COUNTY BOARD OF COMMISSIONERS  
On the 8th day of OCTOBER A.D. 1971  
at 3:28 P.M. and duly  
certified M. 7L DEEDS  
Page 13172  
Vernon M. Miller, County Clerk  
By *Harold L. Ward* Deputy  
For NONE