

MEMORANDUM OF RESTRICTION

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February 18 day of January, 1988

THIS MEMORANDUM is entered into this 18th day of January, 1988, by and between the City of Klamath Falls, Oregon, an Oregon municipal corporation, (hereinafter referred to as "City") and Charles and Lonnie Donahoo, husband and wife, (hereinafter referred to as "Owners").

WHEREAS, Owners are the owners of a parcel of property located in the City of Klamath Falls, Klamath County, Oregon more particularly described as follows:

Lot 9, Block 10, Klamath Lake Addition to the City of Klamath Falls; and

WHEREAS, on January 6, 1988, Owners were granted a Major Variance by the City allowing placement of a single-wide mobile home on said property; and

WHEREAS, a condition of said placement was that the home would be removed at such time as Lonnie Donahoo's parents (Clifford and Marjorie Carsner) no longer require daily care and medical attention; NOW THEREFORE,

THE PARTIES HERETO AGREE AS FOLLOWS:

1. Within sixty (60) days of such date that Clifford and Marjorie Carsner no longer require daily care and medical attention, the mobile home shall be permanently removed from the site.
2. The obligation to remove shall be binding on Owners, Owner's heirs, executors, assigns, administrators, and successors.
3. In the event suit or action instituted to enforce compliance with any of the terms, covenants or conditions of this memorandum, the prevailing party shall recover from the losing party reasonable attorney's fees incurred in such action as set by the trial court and in the event of an appeal, as set by the appellate courts.

OWNERS

Charles E. Donahoo
Charles Donahoo

Lonnie C. Donahoo
Lonnie Donahoo

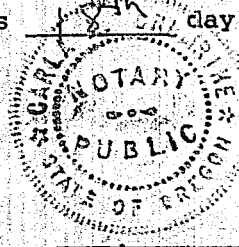
CITY OF KLAMATH FALLS

George C. Filbeck
Mayor

Steve D. Jutz
City Recorder

Subscribed and sworn to before me this 18th day of February, 1988.

Carla A. Cummins
Notary Public for Oregon
My Commission Expires: 1/18/92



AFTER RECORDING RETURN TO:
CITY RECORDER
P.O. Box 237
KLAMATH FALLS, OR
97601

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 22nd day of February A.D., 19 88 at 10:32 o'clock A M., and duly recorded in Vol. M88 of _____ Deeds on Page 2452

Evelyn Biehn, County Clerk
By Ann Smith

FEE \$5.00
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