

2009-006443

Klamath County, Oregon

After recording return to:

Cornelius L. Janssen  
3939 Haskins Rd.  
Donnan, Or. 97623



00065676200900064430020020

# DEED RESTRICTION TEMPORARY USE PERMIT

05/07/2009 12:03:17 PM

Fee: \$26.00

The undersigned, being the record owners of all of the real property described at situs address; 3939 HASKINS Rd.  
BONANZA Or 97623 and further identified by "Exhibit A" attached hereto, do hereby make the following  
 restrictive covenant(s) for the above-described real property, specifying that the covenant(s) shall run with the land and shall be  
 binding on all persons claiming under such land, and that these restrictions shall be for the benefit of and limitation on all future  
 owners of said real property.

In consideration of approval by Klamath County, Oregon of Temporary Use Permit File Number 29-01 on property  
 designated by the Klamath County Assessor's Office as Tax Lot 01600 in Township 38 South, Range 11 East,  
 Section 19, the following restrictive covenant(s) hereafter bind the subject property:

1. A recreational vehicle or manufactured dwelling located on the property identified in Exhibit A is authorized as a medical hardship dwelling pursuant to Article 42 of the Klamath County Land Development Code. This second dwelling is temporary in duration and the permit must be renewed annually. Transfer of this permit to another party is not allowed.
2. Section 42.050(C)(4) of the KCLDC requires the manufactured dwelling or recreational vehicle to be removed when the hardship conditions ceases. The temporary structure must be removed within 90 days of the termination of the hardship or upon expiration of this permit, whichever may be first.
3. Pursuant to 42.060(C), the review body may revoke a temporary use permit upon finding that the temporary nature of the use has expired or that the applicant has not complied with this code or conditions of approval.

This covenant shall not be modified or terminated except by the express written consent of the owners of the land at the time, and the Klamath County Community Development Department, as hereafter provided.

KLAMATH COUNTY, a political subdivision of the State of Oregon, shall be considered a party to this covenant and shall have the right, if it so desires, to enforce any or all of the covenant(s) contained herein by judicial or administrative proceeding. This covenant is made pursuant to the provisions of the Klamath County Land Development Code.

Dated this 7th day of May, 2009.

Cornelius Janssen  
 Record Owner

Marlys E. Janssen  
 Record Owner

STATE OF OREGON )  
 ) ss.  
 County of Klamath )

Personally appeared the above names Cornelius Janssen & Marlys Janssen and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 7th day of May, 2009.  
 By Patricia L. Harvey



Patricia L. Harvey  
 Notary Public for State of Oregon  
 My Commission Expires: Oct 15, 2011



4368

ASPEN 33715

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## WARRANTY DEED

AFTER RECORDING RETURN TO:  
CORNELIUS L. JANSSEN  
MARLYS E. JANSSEN

P.O. Box 387  
Bonanza, OR 97123

UNTIL A CHANGE IS REQUESTED ALL TAX  
STATEMENTS TO THE FOLLOWING ADDRESS:  
SAME AS ABOVE

DAVID L. BRYANT hereinafter called GRANTOR(S), convey(s) to  
CORNELIUS L. JANSSEN AND MARLYS E. JANSSEN, HUSBAND AND WIFE  
hereinafter called GRANTEE(S), all that real property situated  
in the County of Klamath, State of Oregon, described as:

The S 1/2 N 1/2 N 1/2 SE 1/4 and the S 1/2 N 1/2 SE 1/4, All in  
Section 19, Township 38 South, Range 11 East of the Willamette  
Meridian, in the County of Klamath, State of Oregon, SAVING AND  
EXCEPTING the S 1/2 S 1/2 N 1/2 SE 1/4.

CODE 36 & 37 MAP 3811-1900 TL 1600

"THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN  
THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND  
REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE  
PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE  
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY  
APPROVED USES."

and covenant(s) that grantor is the owner of the above described  
property free of all encumbrances except 1) Taxes for the year  
1989-1990 are now a lien but not yet payable. 2) Rights of the  
public in and to any portion of the herein described premises  
lying within the boundaries of roads or highways. 3)  
Regulations, including levies, assessments, water and irrigation  
rights and easements for ditches and canals, of Klamath Project  
and Horsefly Irrigation District. 4) Subject to rules and  
regulations of Fire Patrol District. 5) Agreement, including  
the terms and provisions thereof: Regarding: Well Agreement;  
Between: Lynn and Nancy Edwards; and Vince Pedro and Nancy  
Pedro, recorded on November 28, 1977 in Book M-77 at page 23039.  
6) Unrecorded Contract, including the terms and provisions  
thereof: Vendor: Benjamin D. Morrison and Martha D. Morrison,  
Vendee: Vincent Pedro and Nancy Pedro, as disclosed by Contract  
recorded July 21, 1981 in Book M-81 at page 13035. 7) Subject  
to the interest of David L. Bryant as disclosed by Warranty Deed  
and recorded February 21, 1986 in Book M-86 at page 3080. 8)  
Trust Deed, including the terms and provisions thereof to secure  
the amount noted below and other amounts secured thereunder,  
if any: Grantor: David L. Bryant, Trustee: Aspen Title &  
Escrow, Inc., An Oregon Corporation, Beneficiary: Nancy L. Pedro  
Ball, dated February 13, 1986, recorded on February 21, 1986 in  
Book M-86 at page 3082. 9) Any improvement located upon the  
insured property, which constitutes a mobile home as defined by  
Chapter 801, Oregon Revised Statutes, is subject to registration  
and taxation as therein provided and as provided by Chapter  
308, Oregon Revised Statutes.

and will warrant and defend the same against all persons who  
may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is  
45,000.00.

In construing this deed and where the context so requires, the  
singular includes the plural.

IN WITNESS WHEREOF, the grantor has executed this instrument  
this 22nd day of August, 1989.

Continued on next page

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