

## After recording return to:

Philip L Seeley  
P.O. Box 959  
Keno, OR 97627



06/30/2009 12:39:55 PM

Fee: \$26.00

# DEED RESTRICTION TEMPORARY USE PERMIT

The undersigned, being the record owners of all of the real property described at situs address; 13484 KAWN SPRINGS  
KENO, ORE. 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 TUP 1-04 on property designated by the Klamath County Assessor's Office as Tax Lot \_\_\_\_\_ in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East, Section \_\_\_\_\_, 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 30 day of June, 2009.

Record Owner

Record Owner

STATE OF OREGON )

) ss.

County of Klamath )

Personally appeared the above names Philip L. Seeley & Cynthia J. Seeley and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 30 day of June, 2009.

By Lisa Kessler.



Lisa Kessler  
 Notary Public for State of Oregon  
 My Commission Expires: Mar. 13, 2011

MTC NO: 24699-N

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

The NW1/4 of the NE1/4 of the SE1/4 of Section 12, Township 40 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

SAVING AND EXCEPTING THEREFROM that portion conveyed to Klamath County for roadway purposes in Volume M79, page 17530, Microfilm Records of Klamath County, Oregon.

ALSO EXCEPTING THEREFROM that portion of the NW1/4 NE1/4 SE1/4 of Section 12, Township 40 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, within the following described boundaries:

Beginning at a point in the West line of said NW1/4 NE1/4 SE1/4 of said Section 12, distant along said line, South 0 degree 07' 10" West 333.02 feet from the Northwest corner of said NW1/4; thence parallel with the North line of said NW1/4, North 89 degrees 58' 22" East, 228.0 feet; thence parallel with the East line of said NW1/4, South 0 degree 02' 06" East 29.00 feet; thence parallel with the North line of said NW1/4, North 89 degrees 58' 22" East 125.00 feet; thence parallel with said East line of said NW1/4, North 0 degree 02' 06" West 29.00 feet to a point in the Easterly prolongation of said line having a length of 228.00 feet, said point designated "A" for purposes of this description; thence along said prolongation North 89 degrees 58' 22" East 324.83 feet to the East line of said NW1/4; thence along said East line, South 0 degrees 02' 06" East 332.60 feet to the Southeast corner of said NW1/4; thence along the South line of said NW1/4, South 89 degrees 54' 01" West 678.72 feet to said West line of said NW1/4; thence along said West line, North 0 degree 07' 10" East 333.01 feet to said point of beginning.

Tax Account No: 4007 012D0 00500

TOGETHER WITH; 1973 Pacifica mobile home Serial #12867 which is firmly affixed to the above property

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 7th day  
of Dec. A.D. 19 90 at 12:12 o'clock P.M., and duly recorded in Vol. M90  
of Deeds on Page 24347

FEE \$33.00

Evelyn Biehn County Clerk

By Pauline M. Henderson