

After recording return to:

Kelly Smith

00192169201600096400020025

**DEED RESTRICTION  
TEMPORARY USE PERMIT**

09/12/2016 10:42:03 AM

Fee: \$47.00

The undersigned, being the record owners of all of the real property described at situs address: 5725 Pioneer Ave  
Klamath Falls OR 97603 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 5-16 on property  
designated by the Klamath County Assessor's Office as Tax Lot 1500 in Township 39 South, Range 9 East,  
Section 11A0, 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.

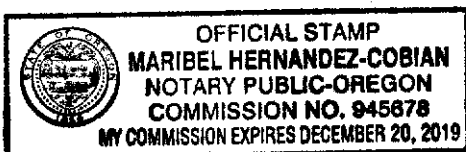
Dated this 8th day of September, 2016.

Kelly M Smith  
Record Owner

\_\_\_\_\_  
Record Owner

STATE OF OREGON )  
 ) ss.  
County of Klamath )

Personally appeared the above names Kelly M Smith and acknowledged the  
foregoing instrument to be his/her voluntary act and deed before me this 8th day of September, 2016.  
By Maribel Hernandez Cobian



Maribel Hernandez Cobian  
Notary Public for State of Oregon  
My Commission Expires:

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

**PARCEL 1:**

Lot 15 in Block 2 of Resubdivision of Blocks 2B and 3, HOMEDALE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, EXCEPTING THEREFROM the West 107 feet as conveyed by Deed recorded October 5, 1964 in Volume 356 page 513, Deed Records of Klamath County, Oregon.

**PARCEL 2:**

A portion of Lot 16 in Block 2 of the Subdivision of Blocks 2B and 3 of HOMEDALE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, which is more particularly described as follows:

Beginning at a point on the South line of Lot 16 of the Subdivision of Blocks 2B and 3 of HOMEDALE, Klamath County, Oregon, 2.50 feet East of the Southwest corner of said Lot 16; thence West 2.50 feet to the Southwest corner of said Lot 16; thence North 2 degrees 55' East along the Easterly line of said Lot 16, 113.18 feet; thence South 1 degree: 15' 53" West 113.08 feet more or less to the point of beginning.

Prop ID : R549641  
Map Tax Lot: R-3909-011AD-01500-000  
Legal : HOMEDALE SUBD BLK 2B & 3, BLOCK 2,  
LOT 15 & 16 POR, ACRES 0.45