

CONDITIONAL USE PERMIT  
RESTRICTIVE COVENANT FOR QUIET ENJOYMENT

KNOW ALL PERSONS BY THEIR PRESENCE that Thomas P. Brissenden and Daniel E. Brissenden in consideration by Klamath County, Oregon of a Conditional Use Permit No. 64-95 on the following described property situated in Klamath County, Oregon:

A parcel of land situated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 30, Township 39 South, Range 10, E.W.M., said parcel being a portion of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  lying Southerly of the centerline of the U.S.R.S. No. 17 Drain, Northerly of the Lost River Diversion Canal and Easterly of the U.S.R.S. C-G Canal and further described as follows:

Beginning at a point on the centerline of the U.S.R.S. No. 17 Drain which bears N. 73°34' E. a distance of 300.0 feet from the Northeasterly right-of-way line of the C-G Canal; thence continuing N. 73°34' E. along said centerline a distance of 230 feet; thence S. 16°26' E. at right angles to said centerline a distance of 365 feet, more or less, to the Northerly line of the Lost River Diversion Canal; thence Southwesterly along said Northerly line a distance of 232.5 feet, more or less, to a point which bears S. 16°26' E. from the point of beginning; thence N. 16°26' W. a distance of 398 feet, more or less, to the point of beginning. Said parcel containing 2.02 acres, more or less.

and in consideration of the benefits accruing to the above named and the above described real property by reason of said approved Conditional Use Permit, We the undersigned for ourselves and our successors and assigns, do hereby covenant, grant, bargain and agree to allow the owners and their successors and assigns of the following real property situated in Klamath County, Oregon: all of Sections 29, 30, 31 and 32 of T39 SR10E WM; to peaceably and quietly use for agricultural and forest purposes utilizing acceptable resource management practices, without complaint, suit trouble, molestation, eviction or disturbance on my part or the part of my successors or assigns, said real property.

Dated: October 18, 1995.

Return: Brissenden  
1130 N Allumbaugh #258  
Boise, ID 83704-8798

By:   
Thomas P. Brissenden

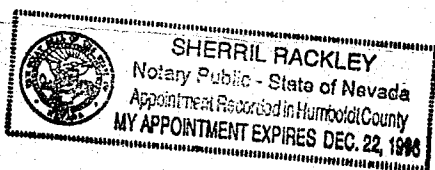
By:   
Daniel E. Brissenden

30030

State of Nevada )  
 ) ss.  
 County of HUMBOLDT )

On October 18, 1995, before me Thomas Brissenden personally appeared Thomas P. Brissenden, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Thomas P. Brissenden and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

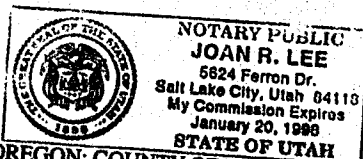


Sherril Rackley  
 Notary Public

State of Utah )  
 ) ss.  
 County of SALT LAKE )

On October 30, 1995, before me Daniel E. Brissenden personally appeared Daniel E. Brissenden, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as Daniel E. Brissenden and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Joan R. Lee  
 Notary Public

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Thomas & Daniel Brissenden  
 of November A.D., 19 95 at 11:30 o'clock A M., and duly recorded in Vol. M95 day  
 of Deeds on Page 30089

FEE \$15.00

By Annette Mueller  
 Bernetha G. Letsch, County Clerk