

**RESTRICTIVE COVENANT**

The undersigned, being the record owners of all the real property as set forth in the attached Exhibit A located in Klamath County, State of Oregon, do hereby make the following restrictive covenant(s) for the above described real property, specifying that the covenant(s) shall constitute covenants to run with all of 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 upon all future owners of said real property.

The following restrictive covenant(s) hereafter bind the subject property:

"Declarant and Declarant's heirs, legal representatives, assigns, and lessees, hereby acknowledge and agree to accept by the placement of this covenant, or the acceptance and recording of this instrument, that the property herein described is situated on or near farm or forest land, and as such may be subject to common, customary and necessary produce truck and heavy machinery traffic and noise, dust, smoke, and other types of visual, odor, and noise pollution which declarant accepts as normal and necessary farm and forest management practices, and recognizes the rights of adjacent and nearby land owners to conduct farm or forest operations, and that the declarant and declarants heirs, legal representatives, assigns, and lessees hereby recognize that they are prohibited from pursuing a claim for relief or cause of action alleging injury from farm or forest practices that may occur on nearby lands devoted to commercial or other resource use."

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 proceedings. This covenant is made pursuant to the provisions of the Klamath County Land Development Ordinance.

Dated this 19th day of January, <sup>2001</sup>~~2000~~

Janice Lancaster  
Record Owner

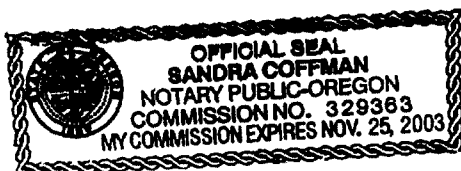
James Lancaster  
Record Owner

STATE OF OREGON )

ss.

County of Klamath)

Personally appeared the above names Janice Lancaster + James Lancaster and  
acknowledged the foregoing instrument to be his/her voluntary act before me this  
19th day of January, <sup>2001</sup>~~2000~~



Sandra Coffman  
Notary Public for State of Oregon

**EXHIBIT A**

Being a Lease for a Cellular Tower Located in the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  Section 7, Township 29 South, Range 8 East, Willamette Meridian, and being on the Property now or formally of James R. and Janice M. Lancaster, being within Parcel 1 of that property described in Book M89, Page 3507 Klamath County, Oregon Deed Records, and further described as follows;

Beginning at the Centerline of the Point of Beginning of the herein described 20 foot wide Access and Utility Easement, said Point described as being 994.0 Feet South and 75.5 Feet East of the Northwest Corner of Section 7, T29S, R8E W.M.;

Thence N 02 02' 17" W, 50.00 Feet to a Point;  
Thence N 87 57' 43" E, 100.00 Feet to a Point;  
Thence S 02 02' 17" E, 100.00 Feet to a Point;  
Thence S 87 57' 43" W, 100.00 Feet to a Point;  
Thence N 02 02' 17" W, 50.00 Feet to the Point  
of Beginning, containing 10,000 Square Feet, all being  
in Klamath County, Oregon.

Basis of Bearings and Description per Klamath County, Oregon Surveyors Office Survey  
File Number 757.

State of Oregon, County of Klamath  
Recorded 01/24/01, at 9:00 a. m.  
In Vol. M01 Page 2845  
Linda Smith,  
County Clerk Fee\$ 26<sup>00</sup>

Don Larson  
3141 SW Backus Blvd #1  
Portland, OR 97201