

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 20 day of January, 2001

[Signature]
Record Owner

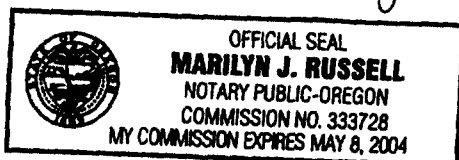
Rene Russell
Record Owner

STATE OF OREGON)

ss.

County of Deschutes)

Personally appeared the above names Stan + Rene Russell and
acknowledged the foregoing instrument to be his/her voluntary act before me this
20th day of January, 2001.



Marilyn J. Russell
Notary Public for State of Oregon

EXHIBIT A

Being a Lease for a Cellular Tower Located in the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ Section 18, Township 23 South, Range 10 East, Willamette Meridian, and being on the Property now or formally of Stanley and Rene Russell, being within Parcel 1 of Klamath County, Oregon Partition Number 17-87, 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 90.7 Feet South and 1484.5 Feet West of the Brass Cap and Monument marking the $\frac{1}{4}$ Corner between Sections 17 and 18, T23S, R10E W.M.;

Thence S 88 18' 56" W, 50.00 Feet to a Point;
 Thence S 01 41' 04" E, 100.00 Feet to a Point;
 Thence N 88 18' 56" E, 100.00 Feet to a Point;
 Thence N 01 41' 04" W, 100.00 Feet to a Point;
 Thence S 88 18' 56" 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 Surveyor Office Survey File Number 5002.

State of Oregon, County of Klamath
 Recorded 01/24/01, at 9:01 P. m.
 In Vol. M01 Page 2847
 Linda Smith,
 County Clerk Fee \$ 26⁰⁰

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