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State of Oregon, County of Klamath
Recorded 10/10/03 9:18 a. m
Vol M03 Pg 75612-14
Linda Smith, County Clerk
Fee \$ 3/00 # of Pgs 3

CONDITIONAL USE PERMIT
RESTRICTIVE COVENANT FOR QUIET ENJOYMENT

KNOW ALL MEN BY THESE PRESENTS that ^{o/c} JACK KIDRICK MARTIN and CYNTHIA J. MARTIN, TRUSTEES OF THE MARTIN REVOCABLE TRUST, husband and wife, in consideration of the approval by Klamath County, Oregon of Conditional Use Permit No. 9-03 (CUP 9-03) on the following described real property situated in Klamath County, Oregon as described on Exhibit "A" attached hereto (subject property),

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 covenant, grant, bargain and agree as follows: We recognize the rights of adjacent and nearby owners to conduct farm and forest operations consistent with accepted farm practices and the Oregon Forest Practices Act and we further prohibit owners of the subject parcel from filing any complaint of any type or kind concerning presently accepted and reasonable resource management practices and farm uses that may occur on nearby land devoted to commercial or other resource use.

Further, there is hereby placed on the ownership rights to the subject property the following non-revocable restriction to be in effect during the time in which the property is zoned F/R (Forestry/Range), except as may be approved by the appropriate governmental authority: No rights shall exist to construct a dwelling or to use the property for future siting of dwellings for present and future owners.

No restriction herein shall effect or prevent construction, siting or use consistent with those approved in CUP 9-03, and nothing herein shall cause the use or rights to the subject property to be more restrictive than those contained in CUP 9-03, or than those allowed by relevant laws and ordinances.

Jack Kidrick Martin
Jack Kidrick Martin, Trustee

Cynthia J. Martin
Cynthia J. Martin, Trustee

STATE OF CALIFORNIA]
] ss.
County of _____]

The foregoing instrument was acknowledged before me this ____ day of _____, 2003, by Jack Kidrick Martin and Cynthia J. Martin, Trustees of the Martin Revocable Trust.

Notary Public for Oregon
My Commission expires:

EXHIBIT "A"
DESCRIPTION OF PROPERTY

In Township 36 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon:

Section 13: Government Lots 3, 4, 5, 6, 11 and those portions of 12, 13, and 14 that lie North of the Sprague River Highway.

EXCEPTING THEREFROM that portion conveyed to the Oregon-California and Eastern Railway Company, a corporation, by Right of Way Deed recorded June 7, 1928 in Book 80, page 433, Deed records of Klamath County, Oregon.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

San Joaquin

} ss.

On 10/9/03

Date

before me, MARYLYN GRIST

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared

Jack Kidrick Martin & Cynthia J. Martin

Name(s) of Signer(s)

☒ personally known to me☐ I proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Place Notary Seal Above

Marylyn Grist
Signature of Notary Public**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Conditional Use Permit

Document Date:

N/A

Number of Pages:

2

Signer(s) Other Than Named Above:

N/A**Capacity(ies) Claimed by Signer**

Signer's Name:

Jack Kidrick Martin & Cynthia J. Martin☐ Individual☐ Corporate Officer — Title(s):☐ Partner — ☐ Limited ☐ General☐ Attorney in Fact☒ Trustee☐ Guardian or Conservator☐ Other:

Signer Is Representing:

Themselves as Trustees ofThe Martin Revocable Trust