

RESTRICTIVE COVENANT
FOR CONDITIONAL USE PERMIT

Know all men by these presents that Merl and Carol Howland, in consideration of the approval by Klamath Count, Oregon, of Conditional Use Permit 35-06, on the following described real property:

Township 39S., Range 09E., Section 02100., Tax Lot 01200.

All those parts of the SW 1/4 NE 1/4 and NW 1/4 SE 1/4 of Section 21, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, which lies Northeasterly of the Northeasterly boundary of the right of was of Lost River Diversion Canal.

EXCEPTING THEREFROM beginning at the Northeast corner of the SW 1/4 NE 1/4 of Section 21, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, thence West 343 feet; thence in a Southeasterly direction following Drain No. 1, 630 feet intersecting the East line of the SW 1/4 NE 1/4 of said Section; thence North 450 feet to the point of beginning.

AND ALSO EXCEPTING, beginning at a point 350 feet West of the Northeast corner of SW 1/4 NE 1/4 of Section 21, in Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, which point is also the intersection of the Westerly line of Drain No. 1 and the center line of the County Road known as the Joe Wright Road; thence running in a Southeasterly direction along the Westerly line of Drain No. 1, to the East line of said SW 1/4 NE 1/4 of said Section 21; thence South along the East line of said SW 1/4 NE 1/4, to the intersection with the Easterly line of the NO. 1C-4E-1A Lateral; thence Northwesterly along the said Easterly line of said Lateral a distance of 1,440 feet to the center line of said County Road; thence East along the center line of said road a distance of 400 feet to the place of beginning.

Hereby recognize(s) the right of adjacent and nearby landowners to conduct farm and forest operations consistent with accepted farm practices and the Oregon Forest Practices Act and record this restrictive covenant prohibiting the permit grantee and successors in interest from filing complaint of any type or kind concerning the presently accepted resource management practices and farm uses that may occur on nearby lands devoted to resource use.

Merl Howland
Merl Howland
o/c *Carol A. Howland*
Carol Howland

State of OREGON

County of Klamath

This instrument was acknowledged before me on June 21 2006
by Heather R Criss

Heather R. Criss
Notary Public--State of Oregon

3-27-2008

