

After recording return to:

SELECT SITE ACQUISITION  
P.O. BOX 1292  
MAPLE VALLEY, WA 98038



10/03/2008 08:04:47 AM

Fee: \$26.00

**RESTRICTIVE COVENANT  
Conditional Use Permit**

The undersigned, being the record owners of all of the real property described as follows; See Attached  
Legal Description and further identified by "Exhibit A" attached hereto, do hereby make the following restrictive covenant(s) for the above-described real property, specifying that the covenant(s) shall run with 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 on all future owners of said real property.

In consideration of approval by Klamath County, Oregon of a land development permit on property designated by the Klamath County Assessor's Office as Tax Lot \_\_\_\_\_ in Township 39 South, Range 70 East, Section 6, the following restrictive covenant(s) hereafter bind the subject property:

"Declarant and Declarant's heirs, legal representatives, assigns, and lessees hereby recognize(s) the rights of adjacent and nearby landowners to conduct farm and forest operations consistent with accepted farming practices and Forest Practices Act, ORS 30.090 and Rules for uses authorized by this Code."

This covenant shall not be modified or terminated except by the express written consent of the owners of the land at the time, and the Klamath County Community Development Department, as hereafter provided.

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 proceeding. This covenant is made pursuant to the provisions of the Klamath County Land Development Code.

Dated this 30 day of Aug, 2008.

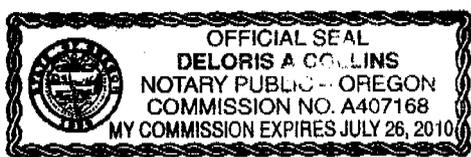
Robert A Stewart  
Record Owner

Marilyn Stewart  
Record Owner

STATE OF OREGON )  
                                  ) ss.  
County of Klamath )

Personally appeared the above names Robert A Stewart & Marilyn Stewart and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 3rd day of Sept, 2008.

By Deloris Collins



Deloris A Collins  
Notary Public for State of Oregon  
My Commission Expires: July 26, 2010

**Note:** A copy of the recorded instrument must be returned to Community Development before permits can be issued.

Exhibit A

ATC Site Number: 308321  
ATC Site Name: East Klamath  
Klamath County, OR

LEGAL DESCRIPTION

~~COMMENCING AT AN ALUMINUM CAP MONUMENT MARKING THE~~  
SOUTHEAST ONE-SIXTEENTH (1/16) CORNER OF SECTION 6 IN TOWNSHIP 39  
SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH  
COUNTY, OREGON, THENCE N 60° 19' 00" W, 1,321.21 FEET TO A 5/8 INCH  
IRON REBAR FOR THE TRUE POINT OF BEGINNING OF THE  
COMMUNICATIONS SITE TO BE DESCRIBED;

THENCE S 88° 30' 35" W, 100.00 FEET TO A 5/8" IRON REBAR;  
THENCE N 01° 29' 25" W, 100.00 FEET TO A 5/8" IRON REBAR;  
THENCE N 88° 30' 35" E, 100.00 FEET TO A 5/8 INCH IRON REBAR;  
THENCE S 01° 29' 25" E, 100.00 FEET TO THE TRUE POINT OF BEGINNING.

(BASIS OF BEARING - SURVEY NO. 2199, FILED IN THE OFFICE OF THE  
KLAMATH COUNTY SURVEYOR)