

After recording return to:
Ms. Cathy Chapel, Land Use Manager
JWTR, LLC
6400 Highway 66
Klamath Falls, OR 97601

2012-000393

Klamath County, Oregon



00112551201200003930020028

01/18/2012 09:20:38 AM

Fee: \$42.00

RESTRICTIVE COVENANT Conditional Use Permit

The undersigned, being the record owners of all of the real property described as follows; Hamaker Mtn. Telecommunications Site 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 use permit to construct a Communications Tower on property designated by the Klamath County Assessor's Office as Tax Lot Tax Lot No. R-4007-02600-00100, located in the NW 1/4 of the NW 1/4 of Section 26, Township 40 South, Range 7 East, of the Willamette Meridian, Oregon, 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 4th day of January, 2012.

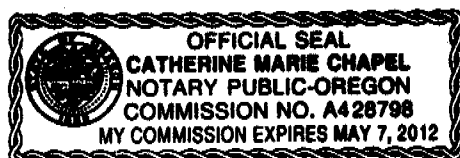
Samuel D. Porter, President
 JWTR, LLC

JWTR Oregon, LLC
 Record Owner

STATE OF OREGON)
) ss.
 County of Klamath)

Personally appeared the above names Samuel D. Porter and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 4th day of January, 2012.

By _____



Catherine Marie Chapel
 Notary Public for State of Oregon
 My Commission Expires: 5/7/2012

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

LEGAL DESCRIPTION CHP'S HAMAKER MTN. COMMUNICATIONS SITE

Beginning at a point which is South 26° 10' East 897.41 feet from the Northwest corner of said Section 26; thence South 79° 31 'East 60 feet; thence South 10° 29' West 60 feet; thence North 79° 31' West 60 feet; thence North 10° 29' East 60 feet to the point of beginning, located in the NW 1/4 of the NW 1/4 of Section 26, Township 40 South, Range 7 East of W. M.

A drawing of the site is attached hereto as Exhibit A-1