

After recording return to:

S. AUSINK / GLOTEL, INC.15375 SE 30TH PL. #101BELLEVUE, WA 98007

00179949201500135600020024

12/17/2015 10:26:11 AM

Fee: \$47.00

**RESTRICTIVE COVENANT
Conditional Use Permit**

The undersigned, being the record owners of all of the real property described as follows; R-2407-007C0-01500 & R-2407-007C0-01600 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 Wireless Communication Tower on property designated by the Klamath County Assessor's Office as Tax Lots 1500 & 1600 in Township 24 South, Range 7 East, Section 7, 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 30th day of October, 2015.

Record Owner

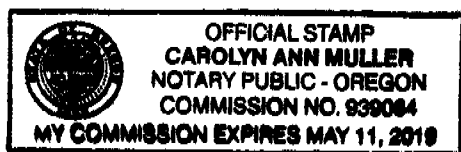
Record Owner

STATE OF OREGON)

) ss.

County of Klamath)

Personally appeared the above names CHARLES E. DEFOE JR. + JUDITH A. MCGEE DEFOE and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 30th day of OCTOBER, 2015.

By Carolyn Ann Muller

Carolyn Ann Muller
Notary Public for State of Oregon
My Commission Expires: MAY 11, 2019

Note: A copy of the recorded instrument must be returned to Community Development before permits can be issued.
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Site Name: Crescent Lake Cottage
Site Number: 281497

EXHIBIT A

DESCRIPTION OR DEPICTION OF PROPERTY

The Property is described and/or depicted as follows:

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

Government Lot 4 being the SW1/4 SW1/4 of Section 7, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 2:

All that portion of the SE1/4 SW1/4 of Section 7, Township 24 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, lying Southwesterly of Crescent Creek, in the County of Klamath, State of Oregon.

EXCEPTING that portion deeded to Frederick E. Kerns, et ux, in Book 346 at Page 343, Deed Records.