

After recording return to:
 Bly Solar Center, LLC
 c/o GCL New Energy Inc.
 12667 Alcosta Blvd, Suite 400
 San Ramon, CA 94583
 Attn: Mac Moore



00208023201700088200020023

08/07/2017 09:26:33 AM

Fee: \$47.00

RESTRICTIVE COVENANT Conditional Use Permit

The undersigned, being the record owners of all of the real property described as follows: land situated in the N 1/2 of Section 11, Township 37 South, Range 14 East, Willamette Meridian, Klamath County, 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 solar energy farm on property designated by the Klamath County Assessor's Office as Tax Lot R-3714-01100-00300-000 and R-3714-01100-00100-000 in Township 37 South, Range 14 East, Section 11, 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 27 day of July, 2017.

David M Cowan
Record Owner Sign

Print Name: David M Cowan

STATE OF WA)
 County of Thurston) ss.

Theresa F Cowan
Record Owner Sign

Print Name: Theresa F Cowan

Personally appeared the above names David Cowan / Theresa Cowan and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 27 day of July, 2017.

Shauna Reynolds
Notary Public for State of WA
My Commission Expires: 11/7/2020

Please return a copy of the recorded covenant to the Klamath County Planning Department.

EXHIBIT A

LEGAL DESCRIPTION

Land situated in the N 1/2 of Section 11 Township 37 South, Range 14 East, Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

BEGINNING at the Northeast corner of said Section 11;

Thence South 00°43'05" West 2665.50 feet to the East 1/4 corner of said Section 11;

Thence North 89°37'59" West 5257.61 feet to the West 1/4 corner of said Section 11;

Thence North 00°01'33" East 2670.25 feet to the Northwest corner of said Section 11;

Thence North 89°34'53" West 5289.85 feet to the POINT OF BEGINNING;

Contains 14,069,399 square feet or 322.99 acres, more or less.

Bearings are based upon County Survey 8153, Klamath County Survey Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
DEC. 16, 2009
ERIK J. HUFFMAN
70814

RENEWS: JUN. 30, 2017