

After recording return to:  
 Pine Grove Solar, LLC  
 3519 NE 15<sup>th</sup> Ave., #106  
 Portland, OR 97212



00297960202200040910020026

03/31/2022 12:47:45 PM

Fee: \$87.00

**RESTRICTIVE COVENANT****(Right to Farm)**

The undersigned, Helena DeJong, being the record owner of all of the real property described as follows Map Tax Lot No. R-3910-00700-00700; Assessor Parcel Number 590890 and Map Tax Lot No. R-3910-007C0-00400; Assessor Parcel Number 591130 and Map Tax Lot No. R-3910-007C0-00300; Assessor Parcel Number 591121 and further identified by "Exhibit A" attached hereto, do hereby make the following restrictive covenant for the above-described real property, specifying that the covenant 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 (CUP 16-20) to construct a solar facility on property designated by the Klamath County Assessor's Office as Tax Lot 700 in Township 39 South, Range 10 East, Section 07 and Tax Lot 400 in Township 39 South, Range 10 East, Section 07C and Tax Lot 300 in Township 39 South, Range 10 East, Section 07C, the following restrictive covenant 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 Planning 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 contained herein by judicial or administrative proceeding. This covenant is made pursuant to the provisions of the Klamath County Land Development Code.

Dated this 28<sup>th</sup> day of March, 2022.

Helena C DeJong  
 Record Owner Sign

Record Owner Sign

Print Name: Helena C DeJong

Print Name: \_\_\_\_\_

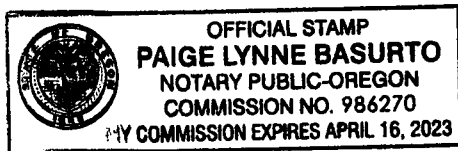
STATE OF Oregon )  
 County of Klamath ) ss.

Personally appeared the above names Helena C. De Jong and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 28<sup>th</sup> day of March, 2022.

Paige Lynne Basurto  
 Notary Public for State of Oregon

My Commission Expires: April 16, 2023

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Returned at Counter  
 Reuben Brandon

## **EXHIBIT A**

### **PROPERTY LEGAL DESCRIPTION**

In Township 39 South, Range 10 East of the Willamette Meridian:

A parcel of land situate in the SW1/4 of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon more particularly described as follows:

Beginning at the intersection of a line 30 feet North of the South line of Section 7, said Township and Range, with the East right of way line of the Enterprise Irrigation Canal; thence Northwesterly, Northerly and Northeasterly along said Enterprise Irrigation Canal right of way line to its intersection with the South right of way line of the Oregon California and Eastern Railway right of way; thence Southeasterly along said railway right of way to the East line of said SW1/4 of Section 7; thence South along the East line of said SW1/4 to a point 30 feet North of the South line of said Section 7; thence running West on a line parallel to and 30 feet North of the South line of Section 7 to the point of beginning.

ALSO a portion of SW1/4 SE1/4 of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Commencing at the Southwest corner of said SW1/4 SE1/4 of said Section 7, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; thence East on the Section line 767.8 feet; thence North and parallel with West line of said SW1/4 SE1/4, 577.4 feet, more or less, to the intersection with the South line of the right of way of the O.C. & E. Railway Company; thence Northwesterly following the said South line of the right of way of the O.C. & E. Railway Company, to its intersection with the West line of said SW1/4 SE1/4; thence South on the West line of said SW1/4 SE1/4 908 feet, more or less, to the point of beginning.