

DESCHUTES COUNTY OFFICIAL RECORDS  
MARY SUE PENHOLLOW, COUNTY CLERK

2002-06684



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# DESCHUTES COUNTY CLERK

## CERTIFICATE PAGE



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**EASEMENT  
(WAIVER OF REMONSTRANCE)**

As a condition of the grant of development approval pursuant to Chapter 18.56 of the Deschutes County Code for Tax Lot 4800 of Township 15 S, Range 12 E.W.M., Section 16 and further described as the N ½ and the SW ¼ of Section 16, Township 15 South, Range 12 EWM, Deschutes County, Oregon (hereafter referred to as "burdened property") Grantor hereby grants and/or relinquishes to the owners of record of the property described as the SE ¼ of Section 16, Township 15 South, Range 12 EWM, Deschutes County, Oregon (hereafter referred to as the "benefited property"), as grantee, any and all rights of remonstrance or protest that they may have by virtue of ownership of the burdened property or otherwise to the visual, noise, dust, reclamation, traffic and any other similar impacts from the following protected activities:

- (1) Surface mining activities lawfully conducted in connection with a pre-existing mine, as that term is defined in Section 18.52.160(B) of the Deschutes County Code, on the benefited property; or
- (2) Surface mining activities that might be lawfully conducted in the future on the benefited property under County or State permits or exemptions.

Grantor acknowledges that by virtue of such grant they have no remaining rights to complain or protest about the protected activities described above.

This Waiver of Remonstrance Easement runs with the land and is binding upon the heirs, successors and assigns of the undersigned's interest in the burdened property or any persons acquiring through the undersigned an interest in the burdened property.

  
Grantor: **Eagle Crest, Inc.**

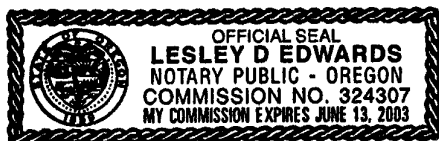
By: *Louie Miller, Asst. Secretary*

**STATE OF OREGON**, County of Deschutes: ss

I certify that I know or have satisfactory evidence that *Louie Miller* is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the *Asst Secretary* of **EAGLE CREST, INC.** to be the free and voluntary act of such parties, in His representative capacity, for the uses and purposes mentioned in this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

*Lesley D Edwards*  
Notary Public for *Oregon*  
My Commission Expires: *6/13/2003*



*W&H Pacific Ron Hand  
920 SW Emkay, C-100  
Bend OR 97702*