

**DEED DECLARATION
Exclusive Farm Use (EFU) District**

The undersigned, being the record owners of all of the real property described in the instrument recorded as _____ (Volume, Page or Official Record number) of the deed records of Jackson County Oregon, do hereby make the following deed declaration(s) for the above-described real property, specifying that the declaration(s) shall constitute covenants to run with all of the land and shall be binding on all persons claiming under such land and that this declaration(s) shall be for the benefit of and limitation upon all future owners of said real property.

The following deed declaration(s) hereafter bind the subject property:

“The record owners, their heirs, legal representatives, assigns, and lessees hereby acknowledge and agree to accept by the placement of this covenant or the acceptance and recording of this instrument, that the property herein described is situated near land zoned Exclusive Farm Use or land in agricultural use, and as such may be subjected to common, customary, and accepted farming practices such as the operation of an orchard, feedlot, or dairy farm, any of which operations may include pesticide and herbicide spraying, weed cutting, irrigation, application of manure, fertilizer, orchard heating, and any other accepted and customary farm practices. Said practices listed above ordinarily and necessarily produce noise, dust, spray residue, smudge smoke, vapor, and other types of visual, odor, or noise pollution which Declarant accepts as a normal and necessary farming practice and as part of the risk of purchasing, constructing, or placing a residential structure and living in a farm area. This covenant also prohibits the Declarant, Declarant’s heirs, legal representing assigns, lessees, and all future owners from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937. In addition, fire prevention authorities may require curtailment of certain activities during the fire season.”

“The grantee agrees to prohibit dogs, under the care or ownership of those residing on the property, from running at large on the subject property or adjacent properties. Any dog shall be considered running at large when it is off or outside of the premises belonging to the owner or keeper of such dog, or not in the company of and under the control of its owner or keeper. „Running at large” does not include the use of a dog under the supervision of a person in order to legally hunt, chase or tree wildlife, use to control or protect livestock; or use in other related agricultural activities. Jackson County shall be a party to this declaration, which cannot be removed or modified without written consent of the County for so long as the subject or adjoining property is zoned Exclusive Farm Use or is in agricultural use.”

The deed declaration(s) shall not be modified or terminated except by the express written consent of the owners of the land at the time, and Jackson County Development Services, as hereafter provided.

JACKSON COUNTY, a political subdivision of the State of Oregon, shall be considered a party to this deed declaration and shall have the right, if it so desires, to enforce any or all of the declaration(s) contained herein by judicial or administrative proceeding. This declaration is made pursuant to the provisions of the 2004 Jackson County Land Development Ordinance.

Dated this _____ day of _____, 20_____.

Record Owner

Record Owner

Record Owner

Record Owner

STATE OF OREGON)
) ss.
County of Jackson)

Personally appeared the above names _____ and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this _____ day of _____, 20_____.

Notary Public for State of Oregon
My Commission Expires:

Note: A copy of the recorded instrument must be returned to Jackson County Development Services (10 S. Oakdale, Room 100, Medford, Oregon) before permits can be issued.