

After Recording Return to: Owner's Name and Address:

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AGRICULTURAL STRUCTURE USE COVENANT

The undersigned OWNER hereby agrees that the structure proposed under PA _____, located on the real property as described on Exhibit "A", (legal description obtained from Lane County Assessment and Taxation), Exhibit "B" the plot plan, and Exhibit "C" the Certification of Existing Sewage Disposal System, attached hereto, will be used solely as an agricultural building as defined by ORS 455.315 (2). (See below) This agreement further serves as notice to the owner and successors in interest that no change in use of the structure shall occur without obtaining the necessary land use approval and building permits from Lane County. This covenant shall be binding upon the OWNER, their heirs, successors and assigns.

455.315 Exemption of agricultural buildings. (1) Nothing in this chapter is intended to authorize the application of a state structural specialty code to any agricultural building.

(2) As used in this section, "agricultural building" means a structure located on a farm and used in the operation of such farm for storage, maintenance or repair of farm machinery and equipment or for the raising, harvesting and selling of crops or in the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry, or any combination thereof, including the preparation and storage of the produce raised on such farm for human use and animal use and disposal by marketing or otherwise. "Agricultural building" does not include:

(a) A dwelling; (b) A structure used for a purpose other than growing plants in which 10 or more persons are present at any one time; (c) A structure regulated by the State Fire Marshal pursuant to ORS chapter 476; (d) A structure used by the public; or (e) A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood Insurance Act of 1968) as amended, and regulations promulgated thereunder. (3) Notwithstanding the provisions of subsection (1) of this section, incorporated cities may regulate agricultural buildings within their boundaries pursuant to this chapter. [Formerly 456.758 and then 456.917; 1995 c.783 §1]

Dated this _____ day of _____, 20__.

OWNER(S)

STATE OF OREGON)
) SS.
County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20__ by _____, (Owners Name)

X _____
Notary Public for Oregon

My commission expires: _____