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**WAIVER OF REMONSTRANCE  
Regarding Farm Uses**

Owner(s), \_\_\_\_\_, own of certain real property located in Josephine County, Oregon. The address for the property is \_\_\_\_\_, and the Assessor's legal description is T\_\_\_\_, R\_\_\_\_, Sec(s) \_\_\_\_\_ - \_\_\_\_\_, Tax Lot(s)\_\_\_\_\_. A metes and bounds description is attached as Exhibit A.

Owner(s) have applied for a dwelling on the property described above. This property is located within a Farm Zone. The *Josephine County Code (JCC)* requires a written and recorded waiver of the right to remonstrate or oppose agricultural uses within the Farm Zones. The RLDC states:

*The Exclusive Farm [Farm Resource] Zone is intended to guarantee the right to conduct normal farm practices and to facilitate and encourage resource management activity. Normal resource management practices shall not be considered a nuisance condition in an Exclusive Farm Zone [Farm Resource]. Nothing in this regulation is intended to interfere with normal resource management practices that might result in conditions such as noise, dust or odor. Residents of this zone should recognize that the intent of the zone is to protect resource activities and that in the event of a conflict between residential use and resource practices, this Code will be interpreted in favor of the resource practice. [Chapter 19.64.010 JCC]*

Also, ORS 215.293 requires landowners who obtain an approval for a single-family dwelling within a farm or forest zone to sign and record a document that prohibits the landowners and their successors 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 30.336 or 30.337 (actions for nuisance or trespass are prohibited unless it results in damage to commercial agricultural products or death or serious physical injury). In addition, Oregon Revised Statute (ORS) 215.293 prohibits pursuit of 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.

Based upon the foregoing requirements, owner(s) hereby acknowledge that their farm use of the subject property is subordinate to present and future farming or forest practices. Further, owner(s) waive, on their behalf and on behalf of their successors in interest, their right to legally remonstrate, oppose or appeal authorized farm and forest practices. Owner(s) acknowledge these practices may involve the application of herbicides or fertilizers (including aerial or ground spraying), road construction, changes in view, noise, dust, traffic and other impacts. This waiver, however, shall not prevent owners or their heirs, assigns or purchasers from expressing personal views during land use of forest practices permit review proceedings regarding such operations.

Owners

Josephine County

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Community Development Director

STATE OF OREGON, County of Josephine) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, personally appeared before me, a Notary Public in and for the aforementioned state and county, and executed the foregoing *Waiver of Remonstrance Regarding Farm Uses*, and acknowledged to me that it was freely and voluntarily done.

NOTARY SEAL

\_\_\_\_\_  
Notary Public, State of Oregon

My commission expires: \_\_\_\_\_, 20\_\_\_\_\_