

WHEREAS Grantor's September 2, 2014, acquisition of the Property was funded through a grant from the Hells Canyon and Eagle Cap Land and Restoration Sub fund of the Oregon Community Foundation ("Penstemon Fund"), and the purposes of the Penstemon Fund grant were to protect clean air, provide fish and wildlife habitat protection and prevent any uses of the Property that will significantly impair or interfere with the conservation values of the Property; and WHEREAS, on November 23, 2022, the Nez Perce Tribal Council Executive Committee, on behalf of Grantee, resolved to authorize the acceptance of the Property as a donation from Grantor with a commitment from Grantee to manage the Property as natural habitat for wildlife and plant communities, free from residential, commercial or industrial uses.

Therefore, Grantee shall manage the Property to protect and maintain the Property as natural habitat for wildlife and plant communities and in accordance with the following restrictions on the use of the Property:

1. No residential uses;
2. No commercial uses; and
3. No industrial uses.

This deed or any interest in all or a portion of the Property may be transferred or assigned only to a successor grantee who agrees (a) to assume the responsibilities imposed by this deed and (b) to be bound by the restrictions imposed by this deed.