

CHUCKANUT ESTATES PHASE II BUILDING AND USE RESTRICTIONS  
Deschutes County, Oregon

The primary purpose of these restrictions are to insure the development and maintenance of a spacious, single family residential area where liberal yards and open space insure healthful and safe living conditions, to create a quiet neighborhood, and insure sustained and improving residential property value.

The undersigned, being the sold owner and subdivider of the following described real property: CHUCKANUT ESTATES PHASE II, Deschutes County, Oregon.

In order to provide for the objectives set out in the above statement of purpose, do hereby subject said property, and each division or part thereof, to the following building and use restrictions:

1. There shall be only one single family residence on each parcel of land in Chuckanut Estates.
2. No residence shall be constructed of less than 1200 square feet on living area, exclusive of garages, porches and outbuildings. Detached garage shall be constructed of quality and appearance that will conform to the residence.
3. No structure of a temporary character, basement, tent, shack, garage, barn or other outbuilding shall be constructed on any parcel at any time as a residence either temporarily or permanently.
4. All front yards shall be landscaped within six months after exterior is finished and no less than 30% of front yard to be in grass, the rest to be natural, or with bark chips in a professional looking manner.
5. There shall be no swine, horses, cattle, poultry or goats on said premises.
6. No construction shall commence until the builder receives written approval of the plans from the subdivider.
7. No building, whether intended for use in whole or in part as a main residential structure, or for use as a garage or other outbuilding, shall be moved upon the premises.
8. Abundant use of outdoor decks and patios will be encouraged.
9. All residences, dwellings and other buildings erected shall be placed on a solid continuous poured concrete or masonry block foundation.
10. The use of new materials on all exterior surfaces will be required, used brick will be permissible. It is desired that a majority of the homes have their exteriors made from materials indigenous to the Northwest.

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11. The use of wood stains in lieu of paints will be encouraged. Bright paints other than exterior trim or accent panels will not be permitted. All buildings constructed on any portion of Chuckanut Estates, excepting the portions of the whole thereof constructed of brick or stone, shall be painted or process painted both as to exterior and interior within five (5) months of the dated of construction of the building, and periodically painted thereafter.

12. Each home will be located on each parcel so as to keep as compatible as possible with the natural surrounding and with other houses.

13. Sewage and waste disposal shall be installed and disposed of in accordance with State and County regulations. All waste materials, paper, trash and other garbage will be held in metal containers and not allowed to be windblown or scattered about the premises.

14. No parcel shall be used in whole or in part, for the storage of rubbish of any character whatsoever, nor for the storage of any property or thing that will cause such lot to appear in an unclean or untidy condition or which will be obnoxious to the eye, nor shall any substance, thing, or material be kept upon any lot that will emit foul or obnoxious odors, or that will cause noise that will or might disturb the peace, comfort or serenity of occupants of surrounding property. No billboards or advertising signs of any character shall be established, placed, permitted or maintained on any lot or improvement thereon except signs of reasonable size indicating property for rent or for sale. Name and address signs of occupants shall be of a design which is compatible with surrounding area.

15. All driveways to be paved or concrete, and there shall be no excavation on any of the parcels for gravel or cinders. Existing trees may be removed only with the permission of the subdivider.

16. Mel Loy Sr., his heirs and assigns hereby reserve a right of way, with right of entry, over, under, along, across and through the said tracts of land for the purpose of erecting, constructing, operating, repairing and maintaining lines for the transmission of electrical energy, and for telephone lines, and/or for laying, repairing, operating and renewing any pipeline or lines for water, gas or sewage, and any conduits for electric or telephone wires, except those portions of the above described property which now lie, or will in the future lie, beneath the homes and other permanent structures and reserving to Mel Loy Sr., his heirs and assigns the sole right to convey the rights hereby reserved.

17. These restrictions may be amended or modified at any time by the affirmative vote of two-thirds of the then owners of the parcels in Chuckanut Estates. For this purpose the record owner of each parcel of the land described above shall be entitled to one vote.

- 18. Any and all fences to be built will have to have prior written approval from the record owner as to plan, material, and style to be used.
- 19. No commercial, professional, noxious or offensive trade or activities shall be carried on upon any parcel nor shall anything be done thereon which may become any annoyance or nuisance to the neighborhood.
- 20. All garbage, trash, cutting, refuse and garbage containers, fuel tanks, clothes lines and other service facilities shall be screened from view of adjacent parcels.
- 21. Each parcel and its improvements shall be maintained in a clean and attractive condition in good repair and in such fashion as not to create a fire hazard or visual pollution.
- 22. Diligence in construction required, any work in construction and erecting any building or other structure shall be prosecuted diligently from the commencement thereof and the same shall be completed within a 180 day period, in accordance with the requirements contained.
- 23. The shooting of BB guns, Air Rifles, firearms or dangerous type weapons on the premises is prohibited.
- 24. No mobile homes or trailers will be allowed for temporary or permanent use.

Dated at Bend, Oregon this 12 day of June, 1978.

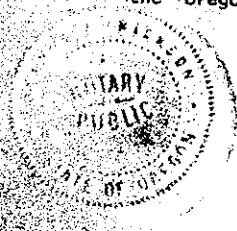
Mei Loy  
Mei Loy

Bobbie L. Loy  
Bobbie L. Loy

State of Oregon, County of Deschutes, ss.

Personally appeared the above named Mei Loy and Bobbie L. Loy and acknowledged the foregoing instrument to be their voluntary act.

Jeanne A. Hickson  
Notary/Public for Oregon  
My commission expires: 7-16-79



Dated at Bend, Oregon th's 13 day of June, 1978.

John G. Nardolillo

*John G. Nardolillo*

Anita Nardolillo

*Anita Nardolillo*

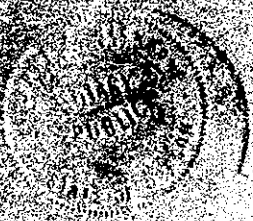
State of Oregon, County of Deschutes, ss.

Personally appeared the above named John G. Nardolillo and Anita Nardolillo and acknowledged the foregoing instrument to be their voluntary act.

*Jeanne A. Hickson*

Notary Public for Oregon

My commission expires: 7-16-79



Dated at Bend, Oregon this 14 day of June, 1978.

Allen L. Latham

*Allen L. Latham*

Wilma L. Latham

*Wilma L. Latham*

State of Oregon, County of Deschutes, ss.

Personally appeared the above named Allen L. Latham and Wilma L. Latham and acknowledged the foregoing instrument to be their voluntary act.

*Jeanne A. Hickson*

Notary Public for Oregon

My commission expires: 7-16-79



34671

STATE OF OREGON

County of Deschutes

I hereby certify that the within instrument of writing was received for Record

the 15 day of June A.D. 1978

at 2:30 o'clock P.M., and recorded

in Book 276 on Page 28 Records

of Bend

ROSEMARY PATTERSON

County Clerk

By *Anna Lubell* Deputy