

PROTECTIVE COVENANTS FOR THE SUBDIVISION OF  
CORK'S WESTSIDE ADDITION

in

SECTION 17, T 15 S, R 13 E 2W  
DESCHUTES COUNTY, OREGON

Know all men by these present: That the undersigned Norman L. Cork and Florence E. Cork, husband and wife, who are the owners of Cork's Westside Addition to Deschutes County, Oregon, do hereby declare that the said property and the whole thereof shall be subject to the following covenants, conditions and restrictions, which shall run with the land and be for the benefit thereof to-wit:

1. LAND USE AND BUILDING TYPE

No lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single family dwelling not to exceed one and one-half stories in height and a private garage for more than two cars. The ground floor area of the main structure, exclusive of one story open porches and garages, shall be not less than 1200 square feet of living area.

2. DILIGENCE IN CONSTRUCTION REQUIRED

Any work in construction and erecting any building or any other structure shall be prosecuted diligently and continuously from commencement thereof and the same shall be completed within a reasonable time in accordance with the requirements contained.

3. BUILDING LOCATION

No building shall be located on any lot nearer than Twenty-five (25) feet to the front lot line, or nearer than Fifteen (15) feet to any side street line. No building shall be located nearer than Fifteen (15) feet to an interior lot line, and no dwelling shall be located on any interior lot nearer than Twenty-five (25) feet to the rear lot line. For the purposes of this covenant, eaves, steps, and open porches shall not be considered as a part of a building, provided, however, that this shall not be construed to permit any portion of a building, on a lot to encroach upon another lot.

4. BUILDINGS AND FENCES

All buildings and fences must be constructed in a work-man-like manner of attractive, properly finished materials that harmonizes with the surroundings. Fences shall not exceed 60 inches in height.

5. COMPLY WITH LAWS

All dwelling owners must comply with laws of the State of Oregon, County of Deschutes, as to fire protection, building construction, sanitation and public Health and any Deschutes County Health and Sanitation requirements supplemental here to.

6. NUISANCES

No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

7. TEMPORARY STRUCTURES

No structure of any temporary character, trailer, basement, tent, shack, garage, barn, or any other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.

8. TERM

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of thirty years from the date these covenants are recorded, unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

9. ENFORCEMENT

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

10. SEVERABILITY

Invalidation of any of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

*Norman L. Cork*

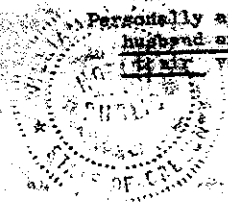
*Florence H. Cork*

STATE OF OREGON, County of Deschutes) ss.

January 12, 1971

Personally appeared the above named Norman L. Cork and Florence H. Cork, husband and wife and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: *William L. Musfield*  
Notary Public for Oregon  
My commission expires *June 23, 1971*



4305

STATE OF OREGON  
County of Deschutes

I hereby certify that the within instrument of writing was received for Record on the 19 day of Jan. A.D. 1971 at 9:23 o'clock A.M. and recorded in Book 173 on Page 925 Records of Deschutes

ROSEMARY PATTERSON  
County Clerk

*May Ann Pennington*  
Deputy

4467

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WAVER OF COVENANTS

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being the owners of Lot 1's Westside Addition, as said addition more particularly appears on the Map and Plan thereof on file in the office of the County Clerk of Deschutes Co., Oregon, do hereby give and release the Covenants recorded in Volume 173, Page 325, deed records, Deschutes County, Oregon, as said Item #1 pertains to one dwelling on each lot and in lieu of original Item #1 provide as follows:

1. LAND USE AND BUILDING TYPE

No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot of a size of less than 7,500 square feet. Dwellings shall be for single families not to exceed one and one half stories in height and a private garage for more than two cars. The ground floor area of the main structure, exclusive of one story open porches and garages, shall be not less than 1,200 square feet of living area.

*Norman L. Cork*  
*Florence H. Cork*

State of Oregon  
County of Deschutes

January 21, 1971

Personally appeared the above named Norman L. Cork and Florence H. Cork, husband and wife and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: *William L. Mayfield*  
Notary Public

My commission expires June 23, 1971.

4467



STATE OF OREGON  
County of Deschutes

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I hereby certify that the within instrument of writing was recorded for Record on the 21 day of Jan, A.D. 19 71 at 11:30 o'clock A. M. and recorded in Book 174 on Page 6 Records of Deschutes

ROSEMARY PATTERSON  
County Clerk

By *Mary Ann [Signature]* Deputy

51844

16259

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AMENDED

COVENANTS, CONDITIONS AND RESTRICTIONS

CORK'S WEST SIDE ADDITION

DESCHUTES COUNTY, OREGON

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a majority of the owners of the lots in the subdivision of CORK'S WEST SIDE ADDITION, DESCHUTES COUNTY, Oregon, as shown by the plat thereof on file in the office of the County Clerk of Deschutes County, Oregon, do hereby amend Section Three (3) of the Protective Covenants for the Subdivision of Cork's Westside Addition recorded January 19, 1971, in Volume 173, Page 925, Deed Records, as amended by instrument recorded January 25, 1971, in Volume 174, Page 6, Deed Records, as follows:

"3. BUILDING LOCATION.

No building shall be located on any lot nearer than Twenty-three (23) feet to the front lot line, or nearer than Five (5) feet to any side street line. No building shall be located nearer than Five (5) feet to an interior lot line, and no dwelling shall be located on any interior lot nearer than twenty-five (25) feet to the rear lot line. For the purposes of this covenant, eaves, steps, and sun porches shall not be considered as a part of a building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot."

IN WITNESS WHEREOF, the undersigned, the Protective Covenants of the Subdivision of Cork's Westside Addition as recorded in Deed Records in Deschutes County, Oregon, do hereby amend the same as follows:

DATED this 15th day of November, 1971.

BY: \_\_\_\_\_

WALTER L. BRICKMAN

Notary Public  
Deschutes County, Oregon

<i>Delphine C. Russell</i>	351 SW 23rd Lot 2 Blk 4
<i>Arthur E. Irvine</i>	235 S.W. 23rd Lot 1 Blk 1
<i>Jessie F. Irvine</i>	235 SW 23rd Lot 1 Blk 1
<i>Walter W. Christensen</i>	287 SW 23rd Lot 3 Blk 1
<i>Josie Christensen</i>	287 SW 23rd "
<i>Andrew J. W.</i>	302 SW 27th Lot 11 Blk 3
<i>Carlson Eli</i>	302 SW 27th Lot 11 Blk 3
<i>Frank A. Craig</i>	2681 S.W. Cascade Lot 5 Blk 2
<i>Walter C. Clark</i>	2425 S.W. Cascade Lot 6 Blk 1
<i>Myrtle Dawson</i>	2465 S.W. Cascade Lot 6 Blk 1
<i>Edward C. Charvitt</i>	2440 S.W. Cascade Lot 10 Blk 4
<i>Dennis M. Chase</i>	2440 S.W. Cascade Lot 10 Blk 4
<i>Franklin W. Caswell</i>	310 SW 27th Lot 10 Blk 3
<i>Walter B. Caswell</i>	310 SW 27th Lot 10 Blk 3
<i>Robert C. Caswell</i>	408 SW 27th Lot 9 Blk 3
<i>Walter J. Kennelley</i>	408 SW 27th Lot 9 Blk 3
<i>Robert S. Caswell</i>	2673 SW Engstrom Lot Blk 3
<i>Norman Macken</i>	2673 SW Engstrom Lot 6 Blk 3
<i>James A. Caswell</i>	2421 SW Engstrom Lot 5 Blk 3

I, the undersigned, acknowledge that the above persons listed on this page signed in my presence.

*William A. Mayfield*

SUBSCRIBED and sworn to before me this 30 day of December, 1978.

*Robert J. Caswell*  
Notary Public for Oregon  
My commission expires 12/31/80

<u>Leanne M. Abbott</u>	<u>2601 SW Evergreen lots</u>
<u>Vicky Todges</u>	<u>251 SW Evergreen lot 1</u>
<u>Crystal Huntington</u>	<u>2403 SW Evergreen lot 1</u>
<u>Michael A. Helms</u>	<u>2375 W Evergreen lot 1</u>
<u>Michael A. Helms</u>	<u>u u u</u>
<u>Paul A. Hendricks</u>	<u>2380 S.W. Cascade lot 8</u>
<u>Joseph L. Hendricks</u>	<u>2380 S.W. Cascade lot 8</u>
<u>Ernest Reynolds</u>	<u>2592 SW Cascade lot 1</u>
<u>Robert L. Reynolds</u>	<u>2592 SW Cascade lot 1</u>
<u>Robert L. Brown</u>	<u>2604 SW Cascade lots 13 &amp; 14</u>
<u>James H. Brown</u>	<u>2604 SW Cascade lots 13 &amp; 14</u>
<u>Shirley Ann Gray</u>	<u>2681 SW Cascade lot 5 Blk 2</u>
<u>Alvin E. Joffe</u>	<u>2647 SW Cascade lot 4 Blk 2</u>
<u>Judith S. Jeffrey</u>	<u>2649 SW Cascade lot 4 Blk 2</u>
<u>Jenny Koch</u>	<u>2609 SW Cascade lot 3 Blk 2</u>
<u>Martha B. Murphy</u>	<u>2563 SW Cascade lot 2 Blk 2</u>
<u>Linda A. Murphy</u>	<u>2563 SW Cascade lot 2 Blk 2</u>
<u>Rich E. Scott</u>	<u>2487 S.W. Evergreen lot 1</u>
<u>James E. Scott</u>	<u>2487 SW Evergreen lot 1</u>

I, the undersigned, acknowledge that the above persons listed on this page signed in my presence.

William R. Mayfield

SUBSCRIBED and SWORN TO before me this 30<sup>th</sup> day of

November, 1978.

Ronald Skinner  
Notary Public for Oregon  
My commission expires: 6/24/80



BRYANT, ENGLISH, JACOB & BISHOP  
ATTORNEYS AT LAW  
808 WEST BROADWAY AVENUE  
ASTORIA, OREGON 97103  
TELEPHONE (503) 325-1251

16253  
STATE OF OREGON  
County of Deschutes  
I hereby certify that the within and  
true and correct copy was prepared for filing  
the 1<sup>st</sup> day of Dec. 1978  
at Astoria, Oregon. I, Notary Public,  
in Book 278 on Page 981, Record  
of Deschutes  
ROSEMARY PATTERSON  
County Clerk  
By Rhonda Lane, Deputy