

BUILDING AND USE RESTRICTIONS  
 DESCHUTES RIVER ACRES  
 DESCHUTES COUNTY, OREGON

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, FOX DEVELOPMENT CORPORATION, an Oregon Corporation, owner of certain subdivided land situate in Deschutes County, Oregon, platted under the official name DESCHUTES RIVER ACRES, said plat having been recorded on the 24<sup>th</sup> day of JANUARY, 1962, in Plat Book 5, Page 40, Plat Records of Deschutes County, Oregon, has by Resolution of its Board of Directors adopted the following Building and Use Restrictions as applicable to said DESCHUTES RIVER ACRES:

1. All lots shall be used only for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one single-family dwelling, not to exceed one story in height and a private garage for not more than two cars.
2. The floor area of the main structure of any and all residences exclusive of one story open porches and garages, shall not be less than 750 square feet.
3. No residence shall be located on any lot nearer than 20 feet from any lot line.
4. No obnoxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
5. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuildings shall be used on any lot at any time as a residence, either temporarily or permanently.

Provided, however, that vacation trailers of property owners may be parked on their lots for a period not to exceed six months, it being the purpose and intention of this exception to afford only temporary living facilities for lot owners for the period of time named.

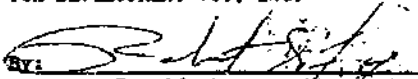
6. In the event the owner of any lot desires to convert a trailer into a permanent "mobile home", application must be made to the Architectural Committee of the corporation for its approval. Consent must be obtained from the Architectural Committee before such conversion may be made and the Architectural Committee shall be the sole judge of whether such a structure may be placed upon the lot in question.
7. No animals, other than domestic household pets, shall be kept on any part of said property.
8. No fence, wall or hedge in excess of six feet in height shall be permitted to extend from the minimum set back line of the house to the street line. No fences, wall or hedge shall be constructed on any lot in excess of six feet in height.
9. All structures, water, sewer and utility installations placed upon

any lot within said tract shall comply with all building codes, regulations and other laws applicable of the State of Oregon, County of Deschutes.

10. All water wells shall be cased to a depth of 18 feet.
11. Buildings must be suitable for year around use and must be placed on a permanent foundation consisting of concrete, brick, pumice blocks, or stone masonry, excepting foundations and footings designed by registered architects supporting their designed structures. Pitch of roof and the size and spacing of rafters and ceiling joists must be adequate to withstand heavy snow packs. Chimneys must be constructed from ground level and shall consist of pumice or concrete blocks, bricks or stone masonry, or comparable fire resistant material
12. All buildings constructed on any portion of the above described tract, excepting the portions or whole thereof, constructed of brick, block, or stone, shall be painted or process plated within six months of the date said buildings are completed. All buildings to be exterior completed and roofed with 90# type roofing or better not later than one year from the beginning of construction.
13. All residences shall have an individual sewage disposal system of an FHA approved type. All septic tanks must be 50' from any water well. All state and county laws and regulations pertaining to health and sanitation shall be complied with. Under no conditions will an external latrine be allowed.
14. These restrictions shall be deemed to be for the protection and benefit of each of the owners or occupants of any portion of the above described subdivision, and it is intended hereby that any such person shall have the right to prosecute such proceeding at law or in equity as may be appropriate to enforce the restrictions herein set forth.
15. Invalidations of any one of these foregoing covenants, restrictions or conditions or any portion thereof by court order, judgment or decree shall in no way affect any of the other remaining provisions hereof which shall, in such a case, continue to remain in full force and effect.
16. These restrictions shall run with the land and shall be binding on the owner or tenant of any or all of said land and all persons claiming by, through or under them.


Dated the 2nd day of January, 1962.

FOX DEVELOPMENT CO., INC.

BY:   
President

STATE OF OREGON )  
County of Deschutes ) ss.

On the 2nd day of January, 1962, personally appeared ROBERT FOX, who, being duly sworn, did say that he is the president of FOX DEVELOPMENT COMPANY, INC., and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority and resolution of its Board of Directors; and he acknowledged said instrument to be its voluntary act and deed.

  
Notary Public for the State of Ore.  
My Commission expires: 1-9-64

DENNIS L. MARVIN  
ATTORNEY AT LAW  
211 Oregon Avenue  
BEND, OREGON