

9093

182-100

BUILDING AND USE RESTRICTIONS

EVERGREEN PARK SUBDIVISION

Deschutes County, Oregon

Glenn F. Anderson and Helen Rae Anderson, husband and wife, being the sole persons having an interest in that portion of Section 34, Township 21 South, Range 10 East of the Willamette Meridian, which has been platted and filed as "Evergreen Park Subdivision" in Deschutes County, Oregon, do hereby and by these presents subject said subdivision, and the whole thereof, to the following Building and Use Restrictions:

- 1) The first floor area of residences shall not be less than 600 square feet, exclusive of porches and garages.
- 2) a. All residences, dwellings and other buildings erected shall be placed on a solid poured concrete or pumice block foundation.
b. Chimneys must be constructed from ground level, and consist of pumice or concrete blocks, bricks, stone and masonry or comparable fire resistant materials.
c. Any fences constructed shall not be over sixty (60) inches in height.
- 3) a. All buildings constructed must be completed within eighteen (18) months from the date construction is commenced, exclusive of inside finish work.
b. All buildings must be process painted or finish treated within the 18 month construction period, except the portions or whole thereof constructed of brick or stone.
- 4) All dwelling owners must comply with the laws of the state of Oregon and County of Deschutes as to fire protection, building construction, sanitation and public health, and any Deschutes County Health and Sanitation requirements supplemental thereto.
- 5) Mobile homes may be used for permanent residences, but a minimum footage of five hundred (500) square feet is required.

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exclusive of any addition constructed unto the mobile home. Any addition constructed unto the mobile home must have a solid poured concrete or pumice block foundation.

6) All permanent mobile home residences must be enclosed or skirted around the bottom between the mobile home and the ground.

7) a. Trailer homes may be used for temporary living quarters or vacation homes, providing they are kept in a neat and orderly condition on the outside and around the trailer.

b. No tents shall be allowed for permanent residences.

8) a. A minimum setback of fifty (50) feet from the front lot line is required for all buildings, mobile homes, or trailers.

b. No permanent or temporary constructed building, residence, mobile home or trailer shall be constructed or placed less than ten (10) feet from the sidelines of each lot.

9) Only one driveway or approach into each lot is allowed from the public roads in the subdivision excepting those lots that border on two different roads such as corner lots, which may have one approach on each street or road.

10) A minimum crawl space of eighteen (18) inches must be provided beneath all living areas of all residences constructed, except those with solid poured floors.

11) No animals may be kept, maintained or stabled on these lots, except household pets.

12) No lot shall be re-subdivided into building lots or used for more than one residence.

13) a. Sewage disposal systems and septic tanks shall be in accordance to specifications set out by governing agencies, namely the Oregon State Board of Health, and Deschutes County Sanitarian.

b. Water wells shall be a minimum of one hundred (100) feet from any sewage disposal system or septic tank.

c. Care shall be exercised when placing wells or sewage systems so they will not conflict or interfere with any previously

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constructed well or sewage system on adjoining lots.

d. Under no conditions will exterior latrines be allowed.

14) No commercial business or industry shall be conducted on any of the lots in this subdivision.

15) No noxious or offensive trade or 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.

16) 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 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.

17) The foregoing covenants, restrictions or conditions are to be in effect until January 1, 1977, and are automatically extended for successive periods of five (5) years, unless the owners of a majority of the parcels agree in writing at least four (4) months before the expiration date thereof to change them.

18) Invalidation 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 case, continue to remain in full force and effect.

IN WITNESS WHEREOF, we, the undersigned, have affixed our signatures and seals this 11th day of February, 1972.

Glenn H. Anderson
Glenn H. Anderson

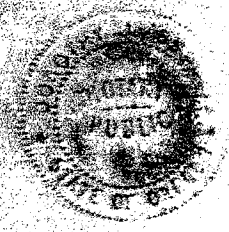
Helen Rae Anderson
Helen Rae Anderson

MC GAY, PANNER, JOHNSON, MARCEAU & KARNOPP
ATTORNEYS AT LAW
SEASIDE, OREGON 97138

STATE OF OREGON)
) ss.
County of Deschutes)

BE IT REMEMBERED, that on this 11th day of September 1972, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ELLEN H. ANDERSON and MELBA ADE ANDERSON, husband and wife, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal the day and year last above written.



Sandra J. Collins
Notary Public for Oregon
My Commission Expires 6-23-74

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STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument of writing was presented for record of the 14 day of Sept. A.D. 19 72 at 1:00 o'clock P.M. and recorded in Book 167 on Page 266 Record of Index

ROSEMARY PATTERSON
County Clerk

WITNESSES Jeanne Green Secy

MARY PAMER JOHNSON MARCELLA HAYWOOD