Misc

7205

BUILDING, DEED, AND USE RESTRICTIONS
VO-LAN-SUM LAND COMPANY
DESCHUTES COUNTY, OREGON

We, Vo-Lan-Sum Land Co., a Co-Partnership, propose to subdivide this land:

That portion of Section 16 in Township 17 South, Range 12 E.W.M. Deschutes County, Oregon, lying Easterly of the Oregon Trunk Railroad Right of Way and Westerly from the Deschutes Reclamation & Irrigation Company (also called Swalley) Canal.

Also those parcels described in Exhibit "A" attached hereto;

in order to provide for the orderly development of said subdivision, do hereby and by by these presents subject said subdivision, and the whole thereof, to the following Building, Deed, and Use Restrictions:

1. No building, or other structure of any kind whatsoever shall be constructed on said property for use for any other purposes than a residence together with such other incidental buildings as may be and are ordinarily used in connection with a residence. A private stable or barn may be maintained to maintain only horses or cattle for personal use. Said stable or barn or other buildings to conform with the stle and architecture of dwelling.

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

3. No building shall be erected on any tract, any portion of which shall be nearer than twenty-five (25) feet from any boundary.

4. No trailer, basement, tent, shack, garage or other outbuilding constructed or placed upon any portion of said tract shall at any time be used as a temporary or permanent residence except that a mobile home may be used for a period up to twelve (12) months.

5. No residence shall be constructed of less than 800 square feet living area, exclusive of garages, porches and outbuildings. The value of said residence shall not be less than $12,000.00 including attached garages and porches. Detached garage or stable shall be constructed of quality and appearance that will conform to the residence.

6. All residences, dwellings and other buildings erected shall be placed on a solid continuous poured concrete or masonry block foundation.

7. No lot shall be used or maintained as a dumping ground for rubbish, trash or garbage. Waste shall not be kept except in sanitary containers at all times. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.'

8. Any individual wells shall comply with the regulations of the State Engineer's Office. Individual wells shall be located at least 50 feet from any sewage drainfield.

9. Individual sewage disposal systems shall comply with the regulations of the Oregon State Board of Health and be approved by the Deschutes County Health Department prior to installation.

10. No sewage disposal system shall be installed closer than 100 ft. from any community well, 50 ft. from an individual well, or 50 ft. from an irrigation canal.

11. The restrictions run with the lots and shall be binding with the owners of the said lots through and under them until June 1, 1980, at which time said restrictions shall be automatically extended for periods of ten (10) years unless by vote of majority of the owners, which may change said agreements in whole or in part.

IN WITNESS WHEREOF, Vo-Lan-Sum, Land Company, A ~~Co~~-Partnership consisting Howard F. Vogt, Jack N. Vogt, James Lance, and Omer Summers has caused these presents to be signed this 1st day of August 1972.

WITNESS: Paul Farnsworth

Howard F. Vogt
HOWARD F. VOGT

Jack N. Vogt
JACK N. VOGT

James Lance
JAMES LANCE

Omer Summers
OMER SUMMERS

EVELYN R. SAMPLE NOTARY PUBLIC STATE OF OREGON

STATE OF OREGON)
)
COUNTY OF DESCHUTES)

Personally appeared the above named Howard F. Vogt, Jack N. Vogt, James Lance, and Omer Summers and acknowledged the foregoing instrument to be their voluntary act and deed.

Before Me: Evelyn Sample
Notary Public for Oregon
My Commission Expires 2/11/75

GEORGE J. COOK & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS

TOWN & COUNTRY PLAZA, SUITE E
501 EAST GREENWOOD
BEND, OREGON 97701
PHONE (503) 382-7444

Spec

January 22, 1969

Vo-Lan-Sum
Tract # 7
West of Road

A tract of land located in Section 16, Township 17 South, Range 12 East, W.M., more particularly described as follows:

Beginning at a point whence the Northeast corner of said Section 16 bears North 19° 37'07" East, 2070.95 feet;
thence North 02° 07'35" West, 220.15 feet;
thence West, 905.26 feet;
thence South 10° 18'30" East, 223.61 feet:
thence East, 873.41 feet to the point of beginning.
Containing 5 acres, more or less.

Excepting therefrom the Easterly 30 feet for roadways and the ~~Arnold~~ Swalley canal right-of-way.

"Exhibit A"

GEORGE J. COOK & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS

TOWN & COUNTRY PLAZA, SUITE E
501 EAST GREENWOOD
BEND, OREGON 97701
PHONE (503) 382-7444

January 22, 1969

Vo-Lan-Sum
Tract # 8
West of Road

A tract of land located in Section 16, Township 17 South, Range 12 East, W.M., more particularly described as follows:

Beginning at a point whence the Northeast corner of said Section 16 bears North 19° 37'07" East, 2070.95 feet;
thence West, 873.41 feet;
thence South 10° 18'30" East, 29.90 feet;
thence South 33° 57'30" West, 253.89 feet;
thence East, 911.89 feet;
thence North 30° 33'10" East, 139.22 feet;
thence around a 200 foot radius curve left, 114.07 feet;
thence North 02° 07'35" West, 11.04 feet to the point of beginning. Containing 5 acres, more or less.

Excepting therefrom the Easterly 30 feet for roadways and the ~~Arnold~~ Swalley canal right-of-way.

" Exhibit A "

GEORGE J. COOK & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS

TOWN & COUNTRY PLAZA, SUITE E
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BEND, OREGON 97701
PHONE (503) 382-7444

January 22, 1969

Vo-Lan-Sum
Tract # 9
West of Road

A tract of land located in Section 16, Township 17 South, Range 12 East, W.M., more particularly described as follows:

Beginning at a point whence the Northeast corner of said Section 16 bears North 18° 26'49" East, 2541.31 feet;
thence North 07° 35'10" West, 113.93 feet;
thence around a 150.00 foot radius curve right, 99.84 feet;
thence North 30° 33'10" East, 12.29 feet;
thence West, 911.89 feet;
thence South 33° 57'30" West, 152.63 feet;
thence South 60° 26'50" East, 153.40 feet;
thence South 11° 10'20" West, 18.08 feet;
thence East, 856.42 feet to the point of beginning.
Containing 5 acres, more or less.

Excepting therefrom the Easterly 30 feet for roadways and the ~~Arnold~~ Sawyer canal right-of-way.

" Exhibit A "

GEORGE J. COOK & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS

TOWN & COUNTRY PLAZA, SUITE E
501 EAST GREENWOOD
BEND, OREGON 97701
PHONE (503) 382-7444

January 22, 1969

Vo-Lan-Sum
Tract # 10
West of Road

A tract of land located in Section 16, Township 17 South, Range 12 East, W.M., More particularly described as follows:

Beginning at a point whence the Northeast corner of said Section 16 bears North 18° 26'49" East, 2541.31 feet;
thence West, 856.42 feet;
thence South 11° 10'20" West, 101.91 feet;
thence South 72° 32'09" East, 651.61 feet;
thence North 40° 47'45" East, 193.30 feet;
thence around a 100 foot radius curve right, 107.51 feet;
thence South 77° 36'25" East, 49.21 feet;
thence North 07° 35'10" West, 128.49 feet to the point of beginning. Containing 3.8 acres, more or less.

Excepting therefrom the Southeasterly 30 feet for roadways and the ~~Arnold~~ Swalley canal right-of-way.

" Exhibit A "

GEORGE J. COOK & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS

TOWN & COUNTRY PLAZA, SUITE E
501 EAST GREENWOOD
BEND, OREGON 97701
PHONE (503) 382-7444

January 22, 1969

Vo-Lan-Sum
Tract # 11
West of Road

A tract of land located in Section 16, Township 17 South, Range 12 East, W.M., more particularly described as follows:

Beginning at a point whence the Northeast corner of said Section 16 bears North 22°47'31" East, 3127.61 feet;
thence North 40°47'45" East, 234.26 feet;
thence North 72°32'09" West, 651.61 feet;
thence South 11°10'20" West, 197.00 feet;
thence South 70°28'49" East, 537.59 feet to the point of beginning. Containing 2.8 acres, more or less.

excepting therefrom the Easterly 30 feet for roadways and the ~~Arnold~~ Swalley canal right-of-way.

" Exhibit A "

7865

STATE OF OREGON
County of Deschutes
I hereby certify that the within instrument of writing was received for Record
~~RIDER~~ the 23 day of Aug A.D. 1972
at 4:22 o'clock P M. and recorded
in Book 187 on Page 713 Records
of Deeds
ROSEMARY PATTERSON
County Clerk
By Irene Lakeland Deputy