

VOL: 2000 PAGE: 15509
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



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DO NOT REMOVE THIS CERTIFICATE

(This certificate constitutes a part of the original instrument in accordance with ORS 205.180(2). Removal of this certificate may invalidate this certificate and affect the admissibility of the original instrument into evidence in any legal proceeding.)

I hereby certify that the attached instrument was received
and duly recorded in Deschutes County records:

DATE AND TIME: Apr. 21, 2000; 3:48 p.m.

RECEIPT NO: 19903

DOCUMENT TYPE: Planned Community
 Subdivision Declaration

FEE PAID: \$36.00

NUMBER OF PAGES: 2

A handwritten signature in cursive script, reading "Mary Sue Penhollow".

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

COVENANTS CODES AND RESTRICTIONS

FOR

FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON
P.O. BOX 323
BEND, OR 97709

Lava Crest
BEND, OR 97701

HAYDEN ENTERPRISES, INC., a Oregon Corporation, hereinafter called "HE", being the owner of the subdivision LAVA CREST, records of Deschutes County in BEND, OR 97701, in order to provide for development of said subdivision does hereby present, LAVA CREST, CITY OF BEND, DESCHUTES COUNTY, OREGON, to the following building and use covenants, conditions and restrictions:

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

All buildings constructed within LAVA CREST, must have the building plans approved by the Plan and Site Review Board prior to construction. This also applies to fences, outbuildings, and other improvements.

The Plan and Site Review Board will consist of "HE" (or its assignees), and their approval will be based upon the following general provisions:

1. Rustic exteriors.
 - a. Color must be approved on exteriors of all buildings.
 - b. Conformity to other dwellings.
 - c. All roofs to be composition or equal to with color to be approved by Plan and Site Review Board.
2. All animals, including dogs, must be kept within the confines of the property or on a leash to protect the residents and their animals from any nuisance factors.
3. No dismantling or storage of vehicles is permitted on the property or adjacent thereto.
4. Each property shall be landscaped and maintained in a clean and attractive condition. Lawns are to be watered, mowed and trimmed on a timely basis. No property owner shall litter their property with wood, paper, equipment, metal objects or other objects, (i.e. car or other vehicle parts), thus causing a visual disturbance to the continuity of the neighboring properties.
5. All activities within the subdivision must conform to DESCHUTES County Zoning Restrictions.
6. Recreational vehicle or motorcycle riding is strictly prohibited other than for ingress or egress to an owner's property.
7. No livestock, (i.e., turkeys, chickens, pigs, etc.), are allowed.
8. No outdoor lights, (i.e. bug, blue or otherwise offensive night lights), to be allowed without permission of the Plan and Site Review Board.
9. Plan and Site Review Board may, at its discretion, require any property owner to provide animal tight fencing to prevent nuisance factors to neighboring property owners.
10. All recreational vehicles, (i.e. RV's, boats, motor homes, trailers, commercial vehicles, etc.), must be parked in such a way as not to offend neighboring property owners, (i.e. in outbuildings, carports,

etc.). No street parking for any vehicles mentioned above is allowed.

11. Utility buildings must all conform to these restrictions.
12. "HE", or its assignees, is the Plan and Site Review Board, and until otherwise replaced, constitutes final authority in all matters pertaining to LAVA CREST,
13. All driveways must be concrete.
14. Buildings must be suitable for year round use and must be placed on permanent foundations, consisting of concrete, brick, pumice blocks, or stone masonry. All structures must comply with DESCHUTES County Building Codes and be constructed on the building site with no move-in residences. Fences and improvements must be constructed in a workmanlike manner and kept in a condition of good repair.
15. All land owners must comply with the laws and regulations of the State of OREGON, County of DESCHUTES, and any codes related to fire protection, etc.
16. No more than six (6) months construction time shall elapse for the completion of a permanent dwelling, nor shall a temporary structure be used as living quarters. An exterior latrine shall be allowed only during the construction of a permanent residence.
17. No commercial, professional, noxious, or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
18. The cutting or removal of living trees will only be permitted where necessary for the construction of buildings or thinning for the beautification of the property.
19. All garbage, trash, cuttings, refuse, garbage and refuse containers, fuel tanks, clothes lines, and other service facilities shall be screened from view from neighboring properties.

All property owners agree and will comply to all the restrictions of the subdivision, and will comply to the requests of the Plan and Site Review Board without recourse, and promptly to insure the quality of the subdivision.

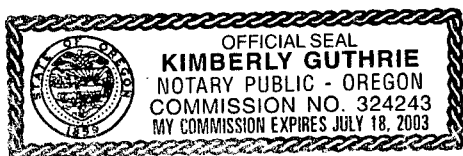
HAYDEN ENTERPRISES, INC.
a Washington CORPORATION,

By _____

Dennis P. Murphy – Vice President

STATE OF OREGON)
COUNTY OF DESCHUTES) ss.

On this 20 day of April, 2000, personally appeared, before me, the above named, Dennis P. Murphy, Vice President, who acknowledged the forgoing instrument to be his voluntary act and deed.



Kimberly Guthrie
Notary Public for OREGON
My Commission expires: 7-18-2003