

2417

BUILDING AND USE RESTRICTIONS

LOS SERRANOS

DESCHUTES COUNTY, OREGON

do hereby make the following Building and Use Restrictions covering the above described property, specifying that this Declaration shall constitute covenants to run with all of the land and shall be binding on all persons claiming under them and that these Building and Use Restrictions shall be for the benefit of and limitations upon all future owners of said real property:

The Southeast Quarter of the Southwest Quarter, and the Northeast Quarter of the Southwest Quarter, and the West Half of the Southwest Quarter, and the Northwest Quarter of the Southeast Quarter of Section Twenty-four (24), Township Seventeen (17) South, Range Twelve (12)

do hereby make the following Building and Use Restrictions covering the above described property, specifying that this Declaration shall constitute covenants to run with all of the land and shall be binding on all persons claiming under them and that these Building and Use Restrictions shall be for the benefit of and limitations upon all future owners of said real property:

1. No building, or other structure of any kind whatsoever shall be constructed on said property for use for any other purpose 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 keep horses or cattle for personal use.
2. No swine, poultry, or goats shall be kept or maintained on the premises. Only one farm animal allowed per acre.
3. No building shall be erected on any lot, any portion of which shall be nearer than fifty (50) feet from any county right of way or any property line. For the purpose of these restrictions, eaves, steps, and porches shall be considered as part of a building.
4. No noxious or offensive trade or activity shall be carried on upon any parcel, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
5. No trailer, tent, shack, or other building shall be constructed or placed upon any portion of any parcel to be used as a temporary or permanent residence. However, a small structure for use by a builder as his construction shack may be built or moved on for the duration of the construction period.

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6. No residence shall be constructed with less than 1200 square feet of living area.
7. No parcel shall be used or maintained as a dumping ground for rubbish, trash, or garbage and other 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 clean and sanitary condition.
8. All dwellings shall have an individual sewage disposal system installed in compliance with the requirements of the laws of the state of Oregon governing domestic sewage and other household liquid waste disposal.
9. No commercial sign may be displayed to the public view from any parcel other than a "FOR SALE," "FOR RENT," or one used by a builder to advertise that property during the construction and sales period. No sign shall be larger than five (5) square feet.
10. No parcel shall be divided into smaller parcels for a period of ten (10) years from original purchase and at no time shall any parcel be less than one-half of the original size of the parcel as on the recorded plat, except parcel #1 in block 3, which may be divided in not more than five (5) parcels.
11. 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.
12. There shall be reserved to Seller and the future owners of all parcels of LOS SERRANOS, existing easements of record, and an easement along existing roads for waterlines and other utilities for the benefit of all parcels of LOS SERRANOS.
13. There shall be no destroying of the trees that exist at time of purchase except those that stand in the way at a building site or driveway.
14. There shall be only one (1) residence per parcel, being the single family dwelling.
15. All utility lines will be installed underground and no utility poles for the delivery of electricity, telephone, television or otherwise shall be permitted within the subdivision.

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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 until 1997 at which time said covenants shall be automatically extended for successive periods of ten years unless by vote of a majority of the then owners of the parcels it is agreeable to change said covenants in whole or part.

17. 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.

18. The foregoing conditions and restrictions shall bind and inure to the benefit of, and be enforceable by suit for injunction or for damages by the owner or owners of any of the above described lands, their, and each of their, legal representatives, heirs, successors, or assigns; and a failure, either by the owners above named or their legal representatives, heirs, successors, or assigns, to enforce any of such conditions or restrictions shall in no event be deemed a waiver of the right to do so thereafter.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands, this 20th day of April, 1972.

Maurice E. Pruitt
Maurice E. Pruitt
Melen P. Pruitt
Melen P. Pruitt
LeRoy H. Fasset
LeRoy H. Fasset
Danna Lee Fasset
Danna Lee Fasset

STATE OF OREGON }
County of Deschutes } ss

Mary
April 20, 1972

Personally appeared the above-named Maurice E. Pruitt and Melen P. Pruitt, husband and wife, and acknowledged the foregoing instrument to be their voluntary act.



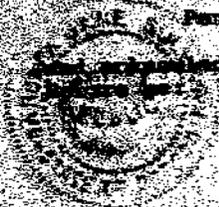
Walter J. Gray
Walter J. Gray
Notary Public for Oregon
My Commission Expires 10-1-1973

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STATE OF OREGON }
County of Deschutes } ss

April 28, 1972

Personally appeared the above-named Leroy H. Fassett
and acknowledged the foregoing instrument to be his voluntary act.
Before me:



Leroy H. Fassett
Notary Public for Oregon
My Commission Expires: 4-27-74

STATE OF OREGON }
County of Deschutes } ss

April 28, 1972

Personally appeared the above-named Donna Lee Fassett
and acknowledged the foregoing instrument to be her voluntary act.
Before me:



Donna Lee Fassett
Notary Public for Oregon
My Commission Expires: 4-27-74

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STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument
was duly recorded in the
office of the County Clerk of Deschutes County, Oregon
on the 28 day of May, A.D. 1972
at 1:30 P.M. and is indexed
in Book 114, page 408.

ROSEMARY PATTERSON
County Clerk

Rosemary Patterson