

BUILDING AND USE RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS, that BROOKS RESOURCES CORPORATION, an Oregon corporation, does hereby declare as follows:

That it is the owner of Ponderosa Pines East located

In the South Half of the Northeast Quarter and the West Half of the Southeast Quarter of Section Eight, Township Twenty-two South, Range Ten, East of the Willamette Meridian, Deschutes County, Oregon and described in the plat of Ponderosa Pines East recorded in Book 10, Record of Town Plats, Page 4, Deschutes County, Oregon.

and said property as platted shall be subject to the following building and use restrictions:

1. Each lot in the subdivision with the exception of Lot 93 Block 6 shall be used for residential purposes only, nor shall more than one detached single family dwelling not to exceed two (2) stories in height and not more than one double garage or carport and two accessory buildings such as work shops or stables be constructed or placed upon each 1.0 acre in the subdivision.
2. No lot shall be resubdivided into building lots of less than 1.0 acres.
3. The floor area of constructed residences shall be of not less than 500 square feet exclusive of one story porches and garages.
4. Building must be suitable for year around use and must be placed on permanent continuous foundations, consisting of concrete, brick, pumice blocks or stone masonry. Pitch of the roof and size and spacing and ceiling joists must be adequate to withstand heavy snow packs. Roofs must be of composition or wood shingle. All buildings, fences and improvements must be constructed in a workmanlike manner and kept in a condition of good repair.
5. Setback line shall be at least forty (40) feet back from the front lot line and twenty (20) feet from side and back lot lines to any structure upon the lot with the exception of a fence, not to exceed sixty (60) inches in height. Fences must be constructed of properly finished material and shall harmonize with the surroundings.

6. All land owners must comply with the laws and regulations of the state of Oregon, county of Deschutes and any municipality applicable to fire protection, building construction, water, sanitation and public health.
7. No campers or Travel trailers shall be allowed for permanent residence. Mobile homes 12' x 40' or larger may be used as a permanent residence provided they are skirted and appear as a permanent installation.
8. No more than 18 months time shall elapse for the completion of a permanent dwelling nor shall a temporary structure be used as living quarters except during the construction of a permanent dwelling. An exterior latrine shall be allowed only during the construction of a permanent residence.
9. No portion of the property shall be used or maintained as a dumping ground for rubbish, trash, garbage or other refuse. Such waste shall be kept in sanitary containers at all times. Approved incinerators must be used in the area sufficiently cleared to prevent the possibility of fire starting on the property and shall be kept in a clean and sanitary condition.
10. No commercial or professional or noxious or offensive trade or 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.
11. 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.
12. No animals other than domestic household pets or horses, shall be kept on any part of said property.
13. Lot signs will be limited to one 10" x 24" olive green wooden sign with black lettering to identify the owner and his address.

These covenants and restrictions or conditions are to remain in effect for a period of ten (10) years from the date of this declaration and shall automatically extend unless the owners of 51% of the total area of all parcels in the subdivision agree in writing to a change.

These restrictions shall be deemed to be for the protection of each of the owners or occupants of any portion of the subdivision. 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 restrictions herein set forth.

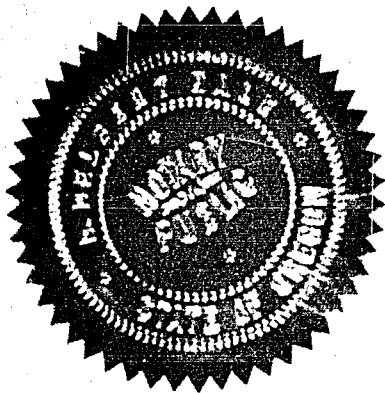
Invalidation of any of these foregoing covenants, restrictions or conditions or any portion thereof by court order, judgment or decree shall in no way effect any of the other remaining provisions thereof which shall in such case continue to remain in full force and effect.

BROOKS RESOURCES CORPORATION

By Robert L. Harrison
President

STATE OF OREGON)
County of Deschutes) ss. April 27th, 1970.

Personally appeared ROBERT L. HARRISON who being sworn stated that he is the president of Brooks Resources Corporation and that this declaration of building and use restrictions was voluntarily signed in behalf of the corporation by authority of its Board of Directors. Before me:



A. Stettin
Notary Public for Oregon
My Commission Expires: April 12, 1974

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10. STATE OF OREGON
County of Deschutes
I hereby certify that the within instrument of writing was received for Record the 27 day of April A.D. 1970 at 9:12 o'clock A M., and recorded in Book 169 on Page 778 Record of Deschutes
By Robert L. Harrison County Clerk
By Robert L. Harrison Deputy