

**AMENDED DECLARATIONS OF COVENANTS, CONDITIONS & RESTRICTIONS
FOR
CITY OF REDMOND BUSINESS PARK**

These Covenants, Conditions and Restrictions hereinafter referred to as "CC&R's" are made this 14 day of May, 1996, by the owner of the lots and parcels comprising the City of Redmond Business Park's Subdivision and Partition in Deschutes County, Oregon ("Subdivision"), which is more particularly described in **EXHIBIT "A"** attached hereto. The Owner adopts these CC&R's in order to insure an appropriate standard for development, promote architectural compatibility and to provide for minimum standards for the use and maintenance of the properties in said Subdivision. These CC&R's shall run with the land, shall burden each lot and parcel in the Subdivision under the following terms and conditions:

**ARTICLE I
DEFINITIONS**

Whenever used in this Declaration, the following terms shall have the following meanings:

1. "Said Property" shall mean and refer to that certain real property hereinbefore described, and such additions thereto as may be hereafter brought within the jurisdiction of the Association by recorded declarations in the manner hereinafter set forth.
2. "Design and Review Committee" shall mean a committee appointed by the owners in accordance with this Declaration.
3. "Lot" shall mean any legally separate parcel of land shown upon any recorded subdivision plat or partition map of said property.
4. "Owner" shall mean every person(s) or entity who owns a lot in the subdivision. If there are multiple owners for a lot, the owners collectively shall have one (1) vote.
5. "Subdivision" shall include the property described in **EXHIBIT "A"** attached hereto and incorporated by reference herein.

**ARTICLE II
SITE, DESIGN AND ARCHITECTURAL REVIEW COMMITTEE**

1. **Membership.** Each owner shall have the right to appoint a member to the Design and Review Committee ("Design Committee") for the subdivision. There are six (6) lots in the subdivision. Each lot owner shall be entitled to appoint one member to the committee for each lot owned. A quorum of the committee shall consist of four (4) members. Any action taken of the committee shall be by a majority of the quorum present.

ARTICLE III
ARCHITECTURAL CONTROLS

1. Before any structure may be constructed within the Subdivision, the owner of the proposed construction site shall comply with these CC&R's. Failure to do so shall be deemed a violation of the CC&R's.
2. Architectural control over any improvements within the Subdivision shall be exercised by the Design Committee. Improvements include all structures, landscaping, fences and screening.
3. A Design and Review Committee appointed by the property owners within the subdivision shall be formed to review all development proposals within the subdivision. The Design Committee shall consist of six (6) persons as described in Article II.
4. The Design Committee shall require high quality architectural design and compatible architectural theme for all facilities constructed. Building standards shall allow individuality and creative design, while maintaining sensitivity to the environment, architectural integrity, and an image of permanence.
5. The following design standards for all developments within said property shall be utilized by the Design Committee:
 - A. General Building Requirements: All building designs shall conform with the following requirements:
 - (1) Orientation toward major streets:
 - a. Parcel 2 of Partition Plat 1995-22 shall orient the front of its buildings or provide a front look to Salmon Avenue.
 - b. Lot 1 of the Subdivision Plat shall orient the front of its buildings or provide a front look towards Salmon Avenue.
 - c. Lots 2, 3 and 4 shall orient the front of their buildings or provide a front look toward Airport Way.
 - d. Lot 5 shall orient the front of its buildings or provide a front look to First Street.
 - (2) Be compatible with the character of surrounding development within the subdivision.

- (3) Promote energy conservation through facility design.

In addition, the use of the following design elements are encouraged:

- (4) Formal entrance drives
- (5) Highlighted visitor entry plazas.
- (6) Accent and architectural lighting.
- (7) Dynamic building and roof forms.
- (8) Striking window patterns.

B. General Building Design Requirements:

- (1) Architect:

All buildings shall be designed by a registered architect or professional designer.

- (2) Architectural Style:

The use of contemporary, innovative architectural styles is strongly encouraged. The use of architectural elements which would detract from the quality image of the subdivision shall not be allowed.

C. Building Exteriors:

- (1) Materials/colors/details:

High quality building materials of a permanent, low-maintenance type shall be used on all exterior walls of a building. Colors, form, and texture shall be used consistently and sensitively throughout each site.

All colors are to be harmonious. Bright, primary colors shall be used with restraint and shall be integrated with the overall building design.

The use of two or more exterior colors is strongly encouraged to enhance the building and to create design accents. Accent colors shall complement the main building color and shall not be highly contrasting.

(2) Parapets/canopies/facia:

The use of canopies, parapets and facias is encouraged to break up large, uniform wall surfaces. Such features shall be in proportion to wall heights and building mass.

(3) Metal buildings:

Metal-clad buildings or buildings with metal exterior features may be permitted but only if proposed by the architect or designer as part of a high quality building design. These buildings will receive special scrutiny by the committee to ensure that high aesthetic standards are maintained. Incorporation of other building materials for contrast shall be required.

(4) Roof treatment/mechanical equipment screens:

Roofs shall be attractively designed. All mechanical equipment located on roofs shall be fully screened from street views. Penthouses shall be an integrated part of the building facade and shall be constructed of compatible materials. Signs, letters, designs, or other graphics shall not be painted or placed on roofs.

Materials used for roofs shall have a non-glare surface. Satellite dishes, antennas, or any other communication equipment shall be integrated into the roof and reviewed by the Committee.

D. Landscaping and site development:

- (1) Sidewalks along Airport Way shall be concrete and meander within the right-of-way, compatible with adjacent developments.
- (2) The 50' setback off of Airport Way shall be landscaped with plantings and design features and not be used for parking.
- (3) Landscape areas shall be irrigated and use plant materials which display color across all seasons.

- (4) Berming is encouraged along Airport Way and Salmon Avenue.
- (5) Unscreened outdoor storage is not permitted. Display areas shall be limited to no more than 1% site area, shall not be permitted within required landscape areas, and be allowed only on impervious surfaces.

6. Variances. The Design Committee may allow variances to these standards based upon the following criteria:

- A. That the proposed design, shall in all respects conform with the Redmond City Code.
- B. That the alternative design provides a functionally, equivalent approach to the design specifications set forth in these CC&R's.
- C. Where a qualified standard is set forth, the variance shall not constitute more than a 20% deviation from these standards.

ARTICLE IV USE AND MAINTENANCE OF PROPERTY

1. Each lot owner in the subdivision shall be responsible for the exterior maintenance, repair and landscaping of their property. No owner shall permit the growth of noxious or annoying weeds on their property.
2. Easements as shown on the partition or subdivision plats shall be preserved by the respective lot owners. Site improvements shall be placed so as not to interfere with the maintenance of any easement. The owner of any lots which has an easement shall maintain the easement area at his expense, except for improvements for which a public authority or utility is responsible.
3. All refuse shall be kept in sanitary containers and screened from public view and shall not be dumped in the subdivision.
4. No trailer, van, bus, camper, truck, tent, garage, barn, shack or storage structure located in the subdivision shall be used as a residence, either permanently or temporarily.
5. All outbuildings and storage sheds must have design approval and be constructed of the same exterior materials as the main dwelling.

6. Vacant Lots: Vacant lots must be maintained in a reasonable, presentable condition. The Design Committee or its designated representative shall have the right at all times to enter upon any lot or building site or parcel of said property that is vacant and unplanted or untenanted by the owner thereof, after having given notice to the owner thereof. The owner has thirty (30) days in which to remedy the violation, unless it is essential for the health and safety of the development that the land be brought in compliance within a shorter period of time. The Design Committee may remove debris, weeds or other waste material and plant or replant, trim, cut back, remove, replace, cultivate, and/or maintain hedges, trees, shrubs, plants or lawns and charge the expense thereof to said owner. Such charges must be paid within thirty (30) days from notice of the amount. Notice under this provision shall be sufficient if mailed to the last address of owner supplied to the developer or his designated representative.

**ARTICLE V
GENERAL PROVISIONS OF THE CC&R'S**

1. These CC&R's shall run with and burden each of the subdivision lots to the benefit of any party who holds any right, title or interest in any lot.
2. Unless extended, revised or repealed, these CC&R's shall expire after thirty (30) years.

These CC&R's may be extended by recording, within sixty (60) days of the expiration date, a written instrument, signed by 60% or more of the subdivision lot owners, which states their intention to extend the CC&R's life. Any extension must be for a minimum of two (2) years and a maximum of ten (10) years. The same procedure shall apply for successive extensions.

- 3. It is the responsibility of the lot owners to comply with additional restrictions as may be found on the recorded plat or subsequent plats of the CITY OF REDMOND BUSINESS PARK SUBDIVISION.

CITY OF REDMOND

By: *Joe Hannan*
 JOE HANNAN, City Manager

STATE OF OREGON)
) ss.
 County of Deschutes)

May 16, 1996

Personally appeared before me the above-named JOE HANNAN, who is the City Manager of the City of Redmond, and acknowledged the foregoing instrument to be his voluntary act and deed.



Georgia Wolf
 Notary Public for Oregon
expired 12-4-98
 *\\epf\redmond\industry.ccr

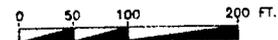
CESS PARK
ED IN THE SE 1/4 OF
ECTION 22, T15S, R13E,
TES COUNTY, OREGON
ON PARK

LEGEND

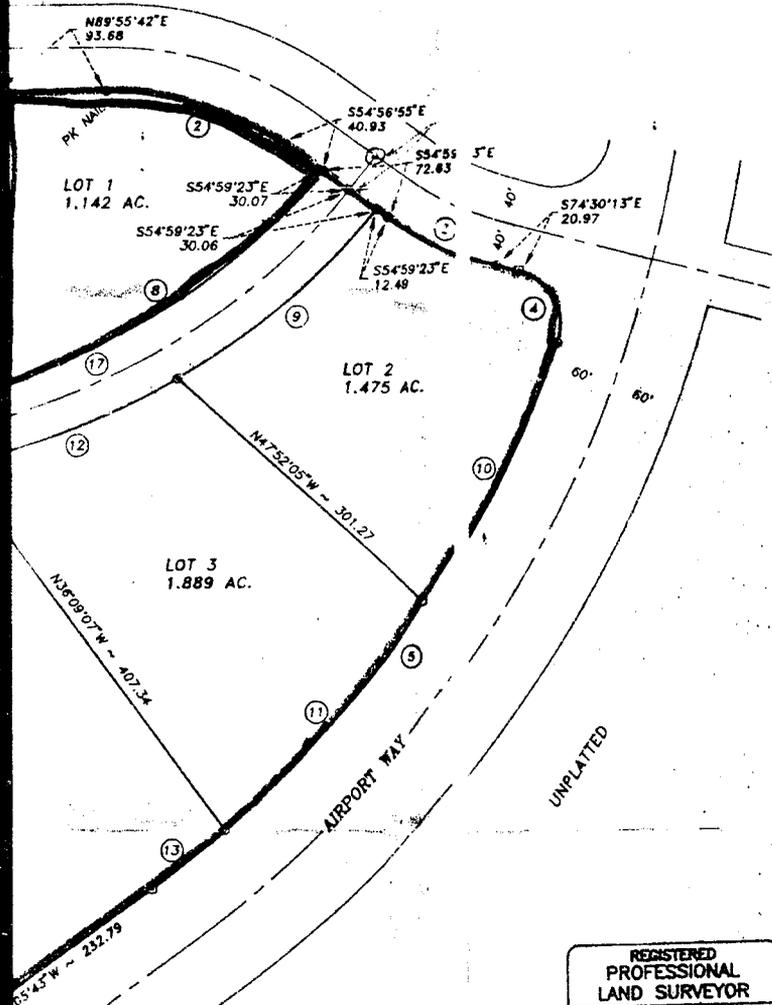
- FOUND BENT 5/8" IRON ROD UNLESS NOTED OTHERWISE
- FOUND 5/8" IRON ROD WITH PLASTIC CAP MARKED "W&H PACIFIC" AS PER PLAT OF INNOVATION PARK (CS11343)
- FOUND 5/8" IRON ROD WITH PLASTIC CAP MARKED "TERRASCOPE" AS PER PARTITION PLAT 1995-22 (CS12253)
- ⊠ FOUND 5/8" IRON ROD WITH PLASTIC CAP MARKED "CWEC" AS PER CS01301 OR CS01324
- SET 5/8" x 30" IRON ROD WITH PLASTIC CAP MARKED "LS2527"
- ⊙ SET 5/8" x 30" IRON ROD WITH PLASTIC CAP MARKED "LS2527" AS PER POST MONUMENTATION AFFIDAVIT - SEE SHEET 1
- () INDICATES RECORD DATA AS PER CS11343
- [] INDICATES RECORD DATA AS PER CS12253
- (()) INDICATES RECORD DATA AS PER CS01301
- Ⓒ CURVE DESIGNATION - REFER TO CURVE DATA TABLE
- DIMENSION LINE



SCALE 1" = 100'



T.L. 300

**CURVE DATA**

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
1	15°58'57"	570.00	158.00	N82°09'53"E	158.49
2	{ 35°00'04" 34°56'05" 34°59'58" 34°56'05"	{ 277.79 277.79 277.79 277.79	{ 169.70 169.38 169.69 169.38	{ S72°26'09"E N72°31'58"W S72°26'37"E S72°31'57"E	{ 167.07 166.76 167.08 167.76
3	{ 19°42'08" 19°45'58" 19°41'42" 19°45'58"	{ 326.99 326.99 326.99 326.99	{ 112.44 112.87 112.40 112.81	{ S64°58'40"E S64°56'54"E S64°57'58"E S64°56'54"E	{ 111.89 112.25 111.89 112.25
4	{ 95°08'29" 95°12'44" 95°02'10" 95°12'57"	{ 50.00 50.00 50.00 50.00	{ 83.03 83.09 82.93 83.09	{ S27°14'10"E N27°13'31"W S27°16'01"E S27°13'24"E	{ 73.81 73.85 73.75 73.85
5	{ 33°41'07" 33°40'37" 33°41'00" 33°40'24"	{ 1040.00 1040.00 1040.00 1040.00	{ 611.44 611.28 611.40 611.22	{ S37°13'41"W N37°13'10"E S37°12'51"W	{ 602.67 602.52 602.63 602.46
6	{ 13°39'27" 13°39'21" 13°39'28"	{ 330.00 330.00 330.00	{ 78.66 78.65 78.66	{ N14°16'04"E N14°16'45"E N14°15'33"E	{ 78.48 78.47 78.48
7	{ 07°18'11" 07°18'08" 07°18'11"	{ 430.00 430.00 430.00	{ 54.81 54.80 54.81	{ N03°49'46"E N03°48'00"E N03°49'10"E	{ 54.77 54.77 54.77
8	35°07'06"	570.00	349.37	S56°36'51"W	343.93
9	21°17'25"	630.00	234.10	N49°18'52"E	232.75
10	14°12'11"	1040.00	257.80	S27°29'12"W	257.14
11	14°54'00"	1040.00	270.45	S42°02'18"W	269.69
12	19°15'12"	630.00	211.70	N69°35'10"E	210.71
13	04°34'57"	1040.00	83.18	S51°46'46"W	83.15
14	10°56'35"	630.00	120.33	N84°41'04"E	120.14
15	03°18'09"	430.00	24.78	N05°49'47"E	24.78
16	04°00'03"	430.00	30.02	N02°10'42"E	30.02
17	51°18'13"	600.00	537.25	N64°30'15"E	519.48

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 28, 1991
JERRY D. STICHLER
2527

RENEWAL 6/30/96

PRELIMINARY

PREPARED FOR:
CITY OF REDMOND
455 SW 7TH STREET
REDMOND, OREGON 97756

PREPARED BY:
ANDERSON ENGINEERING & SURVEYING
539 SW 7TH STREET, P.O. BOX 419
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(541) 923-4307 (541) 923-4308 FAX
SEP 10, 1995 SHEET 2 OF 2

EXHIBIT A
PAGE

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STATE OF OREGON)
COUNTY OF DESCHUTES) SS.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND
RECORDER OF CONVEYANCES, IN AND FOR SAID
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WAS RECORDED THIS DAY:

96 MAY 29 AM 10:59

MARY SUE PENHOLLOW
COUNTY CLERK

BY: T. Moore DEPUTY

NO. 96-19349 FEE 70.00

DESCHUTES COUNTY OFFICIAL RECORDS