

AMENDED  
 BUILDING AND USE RESTRICTIONS  
 DESCHUTES RIVER RECREATION HOMESITES INC.  
 DESCHUTES COUNTY OREGON

Know all men by these present: That the undersigned, DESCHUTES RIVER RECREATION HOMESITES INC, An Oregon corporation, is the owner of DESCHUTES RIVER RECREATION HOMESITES, located in Sections 7 and 18 Township 20 South, Range 11 EMM and Sections 12 and 13 Township 20 South, Range 10 EMM, as will be platted and recorded from time to time in Deschutes County, Oregon, plat records, and does hereby declare that said property, and the whole thereof, shall be subject of the following covenants conditions and restrictions unless changed by a majority vote of the directors of the above named corporation.

- (1) No lot shall be used except for residential purposes, unless such useage is designated for other purposes by the above board of directors of the Corporation. On the residential lots, no building shall be erected, altered, placed or permitted to remain other than one single-family dwelling, not to exceed one story in height and a private garage for not more than two cars.
- (2) The floor area of residence on the river frontage lots shall have a minimum floor area of not less than 1000 square feet, exclusive of one-story open porches and garaged and have at least 2 doors as a means of access. Lots other than river frontage lots shall have floor area of not less than 500 square feet, exclusive of one story open porches and garages.
- (3) Buildings 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 the size and spacing of rafters and ceiling joists must be adequate to withstand heavy snow packs. Chimneys must be constructed from ground level and shall consist of pumice or concrete blocks, bricks, stone masonry or ccomparable fire-resistant materials.
- (4) All buildings and fences must be constructed in a work-man-like manner of attractive, properly finished material that harmonizes with the surroundings, Fences shall not exceed 60 inches in height.
- (5) All dwelling owners must comply with laws of the State of Oregon, County of Deschutes, as to fire protection, building construction, sanitation and public health and any Deschutes County Health and sanitation requirements supplemental here to.
- (6) Sewage disposal system shall consist of a house sewer, a septic tank and a subsurface disposal field. Under no conditions will an exterior latrine be allowed. Required minimum capacities of septic tanks for dwellings:

| Number of Bedrooms | Capacity in Gallons |
|--------------------|---------------------|
| 1-2                | 750 Gal.            |
| 3                  | 900 "               |
| 4                  | 1000 "              |

For each additional bedroom add 250 gallons.

(B) Location of septic tanks shall be not less than the stated distances from the following:

- |   |        |
|---|--------|
| (1) Any source of domestic water supply | 50 ft. |
| (2) Property line                       | 10 ft. |
| (3) River, stream or lake               | 50 ft. |
| (4) Occupied building line              | 10 ft. |
| (5) Water main or service line          | 10 ft. |

(C) Septic tanks shall be of water tight construction and be of either concrete or of not less than 14 guage steel, covered inside and out with an approved protective asphalt coating, or of other sound and durable material, approved by the State Board of Health.

(D) All sub-surface disposal fields shall have a water tight distribution box with not less than 2 outlets. The sub-surface disposal fields shall be no less than the stated distances from the following:

- |   |         |
|---|---------|
| (1) Any source of domestic water supply | 100 ft. |
| (2) River, stream or lake               | 50 ft.  |
| (3) Property or dwelling line           | 10 ft.  |
| (4) Water main or service line          | 10 ft.  |

(E) The depth, width and length of the trenches in the disposal field shall conform to State Board of Health standards with the exception that the depth of the trench shall not be more than 2 feet. The construction and operation of all domestic sewage disposal systems shall meet standards as set forth by the Oregon State Board of Health regulations governing the disposal of domestic sewage and other household wastes.

(7) Wells: A properly developed deep ground water public water supply as required for adequate safety.

- (a) All wells shall be completed with underforated well casing that extends to a depth of not less than 18 ft. below land surface.
- (b) All casing installed shall be of regular approved steel well casing, in new or like new condition, being free of pits and breaks. Casing joints shall be water tight.
- (c) There shall be an impervious seal extending to a depth of not less than 18 feet below land surface, which seal shall be at least 3 inches thick surrounding the circumference of the casing.
- (d) As State regulations are officially adopted by the office of the State Engineer, they shall supersede the above regulations, numbered A through D relating to "Wells".

(8) Garbage Disposal:

- (a) Garbage shall be stored in an insect and rodent proof cleanable container.
- (b) Garbage shall be hauled at least once a week to an approved disposal area.
- (c) Under no conditions will dumping of any refuse in any streams or on the adjoining Federal lands be permitted. The grounds and building shall be maintained in a neat and orderly manner.

(9) No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently, with the exceptions that a trailer may be used during actual construction of permanent residence, except the following described area may be used and occupied for trailer house or mobile home purposes:

The South half (S $\frac{1}{2}$ ) of Northwest quarter (NW $\frac{1}{4}$ ) and Southwest quarter (SW $\frac{1}{4}$ ) of Section 12, Township 20 South, Range 10 EMM

Also:

The West 250' of the Northeast quarter (NE $\frac{1}{4}$ ) and West 250' of the Southeast quarter (SE $\frac{1}{4}$ ) of Section twelve (12) Township twenty (20) South, Range 10 EMM

(10) A time limit is hereby imposed on the length of time required for construction of the residence structure. A period of time not to exceed eighteen months is allowed to complete the residence or dwelling. This period of time is from the start of construction to completion of the same.

(11) No obnoxious or offensive activity shall be carried on upon any lot, nor shall any thing be done thereon which may be or may become any annoyance or nuisance to the neighborhood.

(12) 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 sub-division, 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.

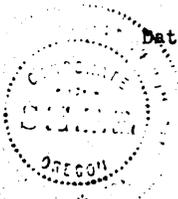
(13) Invalidation of any one of these foregoing covenants, restrictions or conditions or any portion thereof by court order, judgement or decree shall in no way affect any of the other remaining provisions hereof which shall, in such a case continue to remain in full force and effect.

Dated this 7th day of September 1962

DESCHUTES RIVER RECREATION HOMESITES, INC.

By Norman De Swanson  
President

Norman De Swanson  
Secretary



STATE OF OREGON,

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County of DESCHUTES } ss.

On this 7th day of August, 1962,

before me appeared Dan Heierman and Norman I. Swanson both to me personally known, who being

duly sworn, did say that he, the said Dan Heierman is the President, and he, the said Norman I. Swanson is the Secretary of Deschutes River Recreation Homesites, Inc.

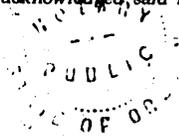
the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and Dan Heierman and Norman I. Swanson acknowledged, said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

*Marion Smith*

Notary Public for Oregon.

My commission expires June 19, 1964



7117  
STATE OF OREGON  
County of Deschutes  
I hereby certify that the contents of instrument  
of which this was recorded for Record  
on the 12th day of August 1962  
A. D. 1962 at 10:55 AM Book 8 M  
and recorded in book 182  
on page 367  
Record  
John A. Decker  
County Clerk  
Deputy

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CM 500

KNOW ALL MEN BY THESE PRESENTS, That MYRTLE JAHNS, a single person

in consideration of Ten and no/100 Dollars, and other good and valuable consideration

to me paid by R. VERNON JAHNS and MARGARET M. JAHNS, husband and wife

doES hereby grant, bargain, sell and convey unto the said grantee S, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Deschutes and State of Oregon, bounded and described as follows, to-wit:

That portion of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13) East of the Willamette Meridian, more particularly described as follows: Beginning at the Southwest corner of said Southwest Quarter of Southwest Quarter (SW1/4SW1/4); thence east 34.0 rods; thence north 400 feet; thence west 34.0 rods; thence south 400 feet to the point of beginning, together with appurtenant water rights.

(No revenue stamps required - consideration less than \$100)

To Have and to Hold the above described and granted premises unto the said grantee S, their heirs and assigns forever.

And I the grantor do covenant that I am lawfully seized in fee simple of the above granted premises free from all encumbrances,

and that I will and my heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness my hand and seal this 10th day of September, 19 62

Myrtle Jahns (SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF OREGON,

County of Deschutes ss. On this 10th day of September, 19 62, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Myrtle Jahns

who is known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that she executed the same freely and voluntarily. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public for Oregon. My commission expires 12/6/63

WARRANTY DEED

MYRTLE JAHNS

TO

R. VERNON JAHNS ET UX

AFTER RECORDING RETURN TO

(DON'T USE THIS SPACE; RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

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STATE OF OREGON,

County of Deschutes ss. I certify that the within instrument was received for record on the 12th day of September, 1962, at 10:53 o'clock A.M., and recorded in book 132 on page 370 Record of Deeds of said County.

Witness my hand and seal of County affixed.

Helen D. ... County Clerk-Recorder. By ... Deputy.

DOCKET NO.