

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2009-42403



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\$30.00 \$11.00 \$16.00 \$10.00 \$6.00

Do not remove this page from original document.

Deschutes County Clerk

Certificate Page



If this instrument is being re-recorded, please complete the following statement, in accordance with ORS 205.244:

Re-recorded to correct [give reason] _____
previously recorded in Book _____ and Page _____,
or as Fee Number _____

RETURN TO: JOHN GOODMAN
3451 NE XENOLITH ST.
TERREBONNE, OR 97760

**Amended and Restated Declaration of Covenants, Conditions and Restrictions for
Rock and River Estates
A subdivision in Deschutes County, Oregon**

Below are the updated CC&Rs that cover all the building lots in Rock & River Estates as recorded with Deschutes County Recorders Office. Previous restrictions were recorded in the real property records of Deschutes County, Oregon at 9569, Vol. 259, page 898 ("Original Declaration").

THIS AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR Rock and River Estates (this "Declaration"), is effective upon its recording in Deschutes County, Oregon.

WITNESSETH

All lots within Rock and River Estates (the "Property") shall be held, sold, hypothecated and conveyed subject to the covenants, conditions and restrictions declared below, which shall be deemed to be covenants running with the land and imposed on and intended to benefit and burden each Lot and other portions of the Property in order to maintain within the Property a community of high standards. Such covenants shall be binding on all parties having any right, title or interest in or to the Property, or any part thereof, and their respective heirs, personal representatives, successors and assigns, and shall inure to the benefit of each Owner thereof.

As of the recordation of this Declaration, this Declaration shall supersede the Original Declaration and the Original Declaration shall be of no further force or effect.

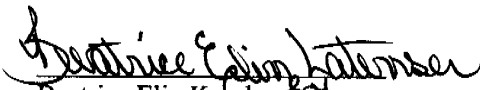
1. No lot shall be used except as a single family residence.
2. No buildings or structures shall be placed within 50' of the property line.
3. All building plans for new construction or remodeling must have the written approval of and comply with county and state laws and codes.
4. All buildings will have underground utilities. Sewerage disposal systems must comply with all state and country specifications.
5. No house trailers, mobile homes or manufactured homes are allowed to be placed on any lot after August 1, 2009. Mark Dahlen, owner of 3444 NE Xenolith, Terrebonne (Lot 4), agrees to seek funding to replace the manufactured home on Lot 4 with a site-built house by August 1, 2011.
6. A maximum of one recreational vehicle, such as a camper, travel trailer, or boat is allowed to be parked outside; all others must be suitably concealed. No recreational vehicles are to be used for living purposes.
7. No more than four livestock animals, such as horses and cows, allowed per lot. No fowl or pigs, nor more than three domesticated animals per household. All animals must be kept under control as not to be a nuisance to the neighborhood.
8. Each lot shall be maintained. No unlicensed cars or car bodies are allowed on any lot. All lots shall be kept free of weeds, have no rubbish or trash collections and be kept neat and clean.

Declarants: Beatrice Elin Latenser, Steven G. Hofelmann, John Q. Goodman, Margaret E. Goodman, Mark Dahlen, Smith Hill Properties, inc., Franklin A. Nichols, Michelyn P. Nichols, Sherman and Carol Wright trust, Bryant Revocable Living Trust, Donald J. Stastny, Janet H. Stastny, Jeanne Young, Steven House

9. No noxious or offensive activity shall occur on any lot nor shall anything be done which may be or become an annoyance or nuisance to the neighborhood. (An example would be a motorcycle track or racing).
10. No hunting or shooting allowed on the property, except as needed for pest control.
11. Clotheslines shall be placed as inconspicuously as possible.
12. These covenants are to run with the land shall be binding on all persons and all parties claiming under them for a period of fifty (50) years from the date these covenants are recorded; unless an instrument signed by a 60% majority of the then owners of lots has been recorded, agreeing to change the covenants in whole or in part. At said meeting each owner of record shall have one vote for each site owned by him or her.
13. Invalidation of any of these covenants by judgment or court order shall in no way effect any of the other provisions which shall remain in full force and effect.
14. In the event any owner shall bring a suit or action to enforce these Restrictions, the losing party shall pay the prevailing party for all costs and expenses incurred by the prevailing party in connection with such suit or action, including a foreclosure title report, and the prevailing party in such suit or action shall recover such amount as the court may determine to be reasonable as attorneys' fees at trial and upon any appeal or petition for review thereof or in connection with any bankruptcy proceedings or special bankruptcy remedies.

I/We agree to the above Joint Deed Restrictions for Rock and River Estates, Deschutes County, Oregon.

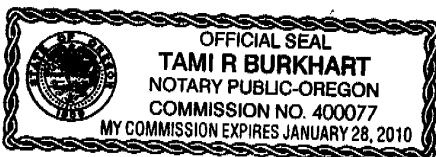
Dated: 26 July 2009


Beatrice Elin Kroker Latenser

STATE OF OREGON)
) ss.
County of Deschutes)

This instrument was acknowledged before me on Aug. 17, 2009 by Beatrice Elin Kroker as owner of Lot 1, Rock and River Estates, Deschutes County, Oregon.
Latenser (TS)

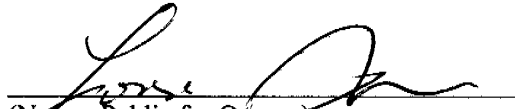

(Notary Public for Oregon)

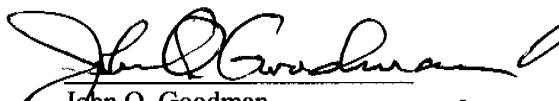
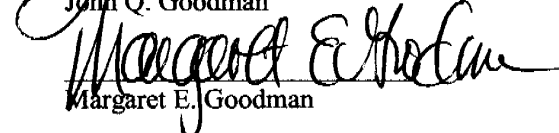


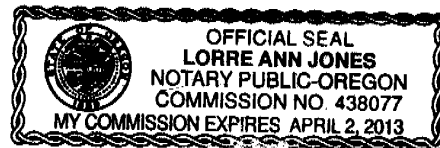

Steven G. Hofelmann

STATE OF OREGON)
) ss.
County of Deschutes)

This instrument was acknowledged before me on 8/18/1, 2009 by Steven G. Hofelmann as owner of Lot 2, Rock and River Estates, Deschutes County, Oregon.

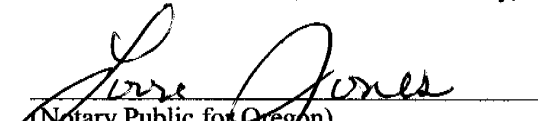

(Notary Public for Oregon)



John Q. Goodman

Margaret E. Goodman



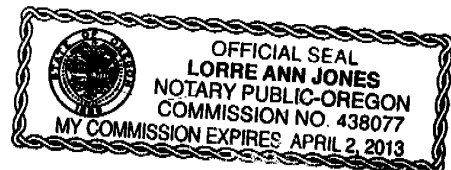
STATE OF OREGON)
) ss.
County of Deschutes)

This instrument was acknowledged before me on 8/18, 2009 by John Q. Goodman & Margaret E. Goodman as owners of Lot 3, Rock and River Estates, Deschutes County, Oregon.

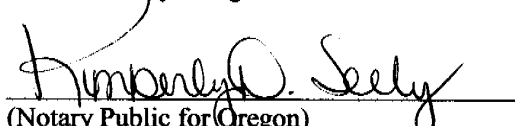

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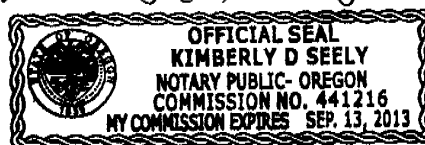

Mark Dahlen

STATE OF OREGON)
) ss.
County of Deschutes)



This instrument was acknowledged before me on 8/18/09, 2009 by Mark Dahlen as owners of Lot 4, Rock and River Estates, Deschutes County, Oregon.


(Notary Public for Oregon)



Smith Hill Properties, Inc.

By: Margaret E. Goodman
Margaret E. Goodman, Registered Agent

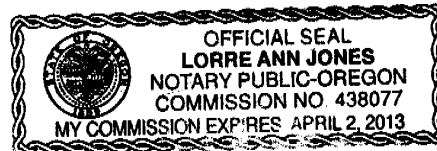
STATE OF OREGON)
) ss.
County of Deschutes)

This instrument was acknowledged before me on 8/18, 2009 by Margaret E. Goodman as Registered Agent of Smith Hill Properties, Inc., an Oregon Corporation, the owner of Lot 5, Rock and River Estates, Deschutes County, Oregon.

Lorre Ann Jones
(Notary Public for Oregon)

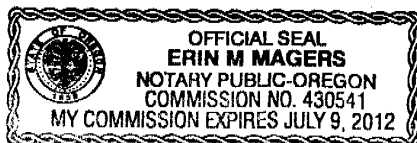
Franklin A. Nichols
Franklin A. Nichols

Michelyn P. Nichols
Michelyn P. Nichols



STATE OF OREGON)
) ss.
County of Lane)

This instrument was acknowledged before me on 8/25, 2009 by Franklin A. Nichols and Michelyn P. Nichols as owners of Lot 6, Rock and River Estates, Deschutes County, Oregon.



Erin M. Magers
(Notary Public for Oregon)

Sherman and Carol Wright Trust dated November 18, 2003

By: Sherman E. Wright
Sherman E. Wright, Trustee

By: Carol F. Wright
Carol F. Wright, Trustee

STATE OF OREGON)
) ss.
County of Deschutes)

This instrument was acknowledged before me on August 18, 2009 by Sherman E. Wright and Carol F. Wright as Trustees of the Sherman and Carol Wright Trust dated November 18, 2003, owner of Lot 7, Rock and River Estates, Deschutes County, Oregon.



Rose Mary Pickering
(Notary Public for Oregon)

Bryant Revocable Living Trust dated Sept. 29, 2004

By: Charles L. Bryant Trustee
Charles L. Bryant, Trustee

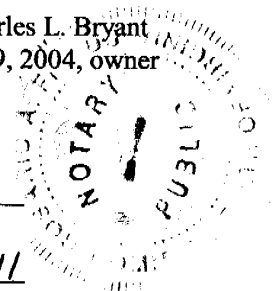
By: Deceased 4/8/07
April E. Bryant, Trustee

STATE OF VIRGINIA)
) ss.
County of Prince William)

This instrument was acknowledged before me on 16th September, 2009 by Charles L. Bryant and April E. Bryant, Trustees under Bryant Revocable Living Trust dated Sept. 29, 2004, owner of Lot 8, Rock and River Estates, Deschutes County, Oregon.

Ronnie J. Fields

Ronnie J. Fields
(Notary Public for Virginia)
My Commission Expires: Feb, 28 2011



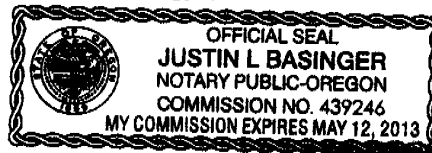
Donald J. Stastny
Donald J. Stastny

Janet H. Stastny
Janet H. Stastny

STATE OF OREGON)
) ss.
County of Deschutes)

This instrument was acknowledged before me on September 10, 2009 by Donald J. Stastny and Janet H. Stastny as owners of Lot 9, Rock and River Estates, Deschutes County, Oregon.

Justin L. Basinger
(Notary Public for Oregon)



Jeanne Young
Jeanne Young

Steven House
Steven House

STATE OF OREGON)
) ss.
County of Deschutes)

This instrument was acknowledged before me on 8/18, 2009 by Jeanne Young and Steven House as owners of Lot 10, Rock and River Estates, Deschutes County, Oregon.

Lorre Ann Jones
(Notary Public for Oregon)

