

21640

SUNTREE BUILDING AND USE RESTRICTIONS

The primary purpose of these restrictions are to insure the development and maintenance of a spacious, single family residential area where liberal yards and open space insure healthful and safe living conditions, to create a quiet neighborhood, and insure sustained and improving residential property value.

The undersigned, being the sole owners and subdividers of the following described real property: SunTree Subdivision located in the South half of the Southeast quarter of the Southwest Quarter of Section 23, Township 17 South, Range 12 East of the Willamette Meridan, Deschutes County, Oregon.

In order to provide for the objectives set out in the above statement of purpose, do hereby subject said property, and each division or part thereof, to the following building and use restrictions:

1. There shall be only one single family residence on each parcel of land in SunTree.
2. No residence shall be constructed of less than 1100 square feet of living area, exclusive of garages, porches, and outbuildings. Detached garage shall be constructed of quality and appearance that will conform to the residence.
3. No structure of a temporary character, beasement, tent, shack, garage, barn or other outbuilding shall be constructed on any parcel at any time as a residence either temporarily or permantently.
4. There shall be no livestock or horses on said property.
5. No construction shall commence until the builder receives written approval of the plans from the subdivider or his representative.
6. No building, whether intended for use in whole or in part as a main residential structure, or for use as a garage or other outbuilding, shall be moved upon the premises.
7. Abundant use of outdoor decks and patios will be encouraged.
8. All residences, dwellings and other buildings erected shall be placed on a solid continuous pured concrete or masonry block foundation.
9. The use of new materials on all exterior surfaces will be required, used brick will be permissible. It is desired that a majority of the homes have their exteriors made from materials indigenous to the Northwest.

10. Each home will be located on each parcel so as to keep as compatible as possible with the natural surroundings and with other houses.
11. Sewage and waste disposal shall be installed and disposed of in accordance with state and county regulations. All waste materials, paper, trash, and other garbage will be held in metal containers and not allowed to be windblown or scattered about the premises.
12. No parcel shall be used in whole or in part, for the storage of rubbish of any character whatsoever, nor for the storage of any property or thing that will cause such lot to appear in an unclean or untidy condition or which will be obnoxious to the eye, nor shall any substance, thing or material be kept upon any lot that will emit foul or obnoxious odors, or that will cause noise that will or might disturb the peace, comfort or serenity of occupants of surrounding property.
13. No billboards or advertising signs of any character shall be established, placed, permitted or maintained on any lot or improvement thereon except signs of reasonable size indicating property for rent or for sale. Name and address signs of occupants shall be of a design which is compatible with surrounding area.
14. All driveways to be paved or concrete, and there shall be no excavation on any of the parcels for gravel or cinders. Existing trees may be removed. However the retainage of these natural plants is encouraged.
15. No commercial, professional, noxious or offensive trade or activities shall be carried on upon any parcel nor shall anything be done thereon which may become any annoyance or nuisance to the neighborhood.
16. All garbage, trash, cutting, refuse, and garbage containers, fuel tanks, clothes lines and other service facilities shall be screened from view of adjacent parcels.
17. Each parcel and its improvements shall be maintained in a clean and attractive condition in good repair and in such fashion as not create a fire hazard or visual pollution.
18. Diligence in construction required, any work in construction and erecting any building or other structure shall be prosecuted diligently from the commencement thereof and the same shall be completed within 180 day period, in accordance with the requirements contained.
19. The discharge of dangerous type weapons on the property is prohibited.
20. Glen Bullis, Harold Renegar, their heirs and assigns hereby reserve a right of way, with right of entry, over, under, along, across, and through the said tracts of land for the purpose of erecting, constructing, operating, repairing and maintaining lines for the transmission of electrical energy, and for telephone lines, and/or for laying, repairing, operating and renewing any pipeline or lines for water, gas or sewage, and any conduits for electric or telephone wires, except those portions

of the above described property which now lie, or will in the future lie, beneath the homes and other permanent structures and reserving to Glen Bullis and Harold Renegar, their heirs and assigns the sole right to convey the rights hereby reserved.

21. These restrictions may be amended or modified at any time by the affirmative vote of two-thirds of the then owners of the parcels in SunTree. For this purpose the record owner of each parcel of the land described above shall be entitled to one vote.

Date at Bend, Oregon this 4TH day of January, 1978.

C. Wendell Clore
C. Wendell Clore, Developer

and Agent for

Glen E. Bullis
and
Harold Renegar

STATE OF OREGON, County of Deschutes)ss.

Personally appeared the above named C. Wendell Clore and acknowledged the foregoing instrument to be his voluntary act.

James D. Cooley
Notary Public for Oregon
My Commission Expires: 3/10/80



21640

STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 14 day of Feb A.D. 19 78 at 11:34 o'clock AM, and recorded in Book 267 on Page 613 Records of Deeds

ROSEMARY PATTERSON
County Clerk

By *Dorothy Johnson* Deputy

Return to
Century West Engineering Corp
attn: Russ Harl
P.O. Box 1174
Bend, OR 97701