

187 207

PROTECTIVE RESTRICTIONS FOR
TALL PINES,
TALL PINES FIRST ADDITION,
TALL PINES SECOND ADDITION,

SUBDIVISIONS IN DESCHUTES COUNTY, OREGON

Patrick Gislser, being the general partner of West and North Properties, Oreg. Ltd., being sole owner of the subdivisions known as Tall Pines, Tall Pines First Addition, and Tall Pines Second Addition, Deschutes County, Oregon, in order to provide for the orderly development of said subdivisions, does hereby and by these presents, subject said development to the following restrictions.

No building, or other structures of any kind whatsoever, shall be constructed on said property for use for any other purpose than a residence together with such other incidental buildings as may be and are ordinarily used in connection with a residence.

Residences or permanent mobile homes shall contain at least 500 square feet ground living area exclusive of garages and porches.

Buildings must be situated for year around use and must be placed on permanent foundation consisting of concrete, brick, pumice blocks, or stone masonry, except foundations and footings designed by registered architects supporting their designed structures. 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 or stone masonry, or comparable fire-resistant materials.

All buildings constructed on any portion of the above described tract, excepting the portions or walls thereof, constructed of brick, block, or stone, shall be painted or stained within six months of the date said buildings are completed. All buildings shall be complete and roofed with 90% type 1 or better, not later than two years from beginning of construction.

All residences and all buildings requiring sewage disposal that cannot be connected to the sewer tank shall have an individual sewage disposal system including septic tanks of an FHA approved type. All state and county laws and regulations pertaining to health and sanitation shall be complied with. Cesspools and privy toilets are not permitted.

All animal enclosures shall be 50 feet from existing residences and the keeping or raising of more than two head of domestic livestock will not be permitted on any one lot.

No lot shall be re-subdivided into building lots or used for more than one resident.

No basement, tent, shack, garage or other outbuilding constructed or placed upon any portion of said tract shall be used as a permanent residence, nor structures of any kind shall be moved onto any lot excepting a small structure for use by a builder or owner as his construction shack during the construction period, not to exceed two years.

Each lot is subject to right of way easement to Midstate Electric Company as shown on preliminary plat.

Each lot is subject to right of way easement to Pacific Telephone & Telegraph Company as shown on preliminary plat.

No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

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 subdivisions, and 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.

These restrictions shall run with the land and shall be binding on the owner or tenant of any or all of said land and all persons claiming by, through or under them.

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

All permanent mobil home residences must be enclosed or skirted around the bottom between the mobil home and the ground.

A minimum setback of fifty (50) feet from the front lot line of each lot is required for all buildings, mobil homes or trailers.

Only one driveway or approach into the lot is allowed from the public roads in the subdivisions excepting those lots that border on two different roads, such as corner lots, which may have one approach on each street.

A minimum crawl space of eighteen (18) inches must be provided beneath all living areas of all residences constructed, except those with solid poured floors.

All water wells shall be constructed with unperforated well casing that extends to a depth of not less than eighteen (18) feet below land surface and shall comply with the regulations of the state engineer's office and State Board of Health.

All buildings and fences shall be constructed in a workmanlike manner of attractive, properly finished material that harmonizes with the surroundings. Fences shall not exceed 60 inches in height.

Garbage disposal:

- A. Garbage shall be stored in an insect and rodent proof container.
- B. Garbage shall be hauled away at least once a week to an approved area.
- C. Under no condition will dumping of any refuse in any streams or on the adjoining Federal lands be permitted. The grounds and buildings shall be maintained in a neat and orderly manner.

No cutting of trees will be permitted except where necessary for construction of buildings and landscaping.

WEST ANNE BORTH PROPERTIES, OREG. LTD.

By Patrick Gisler
Patrick Gisler, general partner

STATE OF OREGON, County of Deschutes)ss.
Personally appeared Patrick Gisler, who being duly sworn did say that

he is the general partner of West and North Properties, Oreg. Ltd., a limited partnership organized and qualified under the laws of the State of Oregon and that said instrument was signed on behalf of said limited partnership and acknowledged said instrument to be the voluntary act and deed of said limited partnership.

Wesley C. Roth
Notary Public for Oregon
My Commission Expires: 7/2/72



STATE OF OREGON

County of Deschutes
I hereby certify that the within instrument or writing was recorded in Record the 1 day of Aug. A.D. 1977 at 10:49 o'clock A. M. and recorded in Book 187 on Page 209 Recorded of Wesley C. Roth
ROSEMARY PATTERSON
County Clerk
By James Schubert Deputy

Patrick Dealie
P.O. Box 7
Bend, Or. 97701
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82 OREGON AVE.
BEND, OREGON