

17919

Return to  
Randy R Scott  
8905 Hwy 66  
K. Feb 9761

DECLARATION OF CONDITIONS AND RESTRICTIONS  
OF  
TRACT 1290 - SILVER RIDGE ESTATES

WE, THE UNDERSIGNED, BEING THE REGISTERED OWNERS AND PARTIES OF INTEREST IN SILVER RIDGE ESTATES SUBDIVISION AS DESCRIBED IN THE OFFICIAL PLAT THEREOF, LOCATED IN KLAMATH COUNTY, STATE OF OREGON, DO HEREBY MAKE THE FOLLOWING DECLARATION OF CONDITIONS AND RESTRICTIONS COVERING THE ABOVE-DESCRIBED REAL PROPERTY, SPECIFYING THAT THE DECLARATION SHALL CONSTITUTE COVENANTS TO RUN WITH ALL OF THE LAND, AND SHALL BE BINDING ON ALL PERSONS CLAIMING UNDER THEM AND THAT THESE CONDITIONS AND RESTRICTIONS SHALL BE FOR THE BENEFIT OF AND THE LIMITATIONS UPON ALL FUTURE OWNERS OF SAID REAL PROPERTY. THESE RESTRICTIONS SHALL APPLY ONLY TO SINGLE FAMILY DWELLINGS.

THERE SHALL BE FORMED A " DESIGN REVIEW COMMITTEE " FOR THE PURPOSE OF CONTROLLING AND ENFORCING THE CONDITIONS OF THIS DECLARATION AND TO ASSIST BUILDERS IN CONSTRUCTING AND MAINTAINING A BEAUTIFUL RESIDENTIAL AREA. THE COMMITTEE SHALL BE ORGANIZED AS FOLLOWS:

DESIGN REVIEW COMMITTEE: THE DESIGN REVIEW COMMITTEE SHALL CONSIST OF 3 REGISTERED OWNERS OF SILVER RIDGE ESTATES PROPERTY, ELECTED BY A MAJORITY OF THE OWNERS OF SILVER RIDGE ESTATES PROPERTY. FOR OFFICIAL ACTIONS, THREE MEMBERS OF THE COMMITTEE SHALL CONSTITUTE A QUORUM. THE FIRST SUCH COMMITTEE SHALL CONSIST OF: THE FIRST 3 PURCHASER'S OF PROPERTY.

ALL ELECTIONS THEREAFTER SHALL BE CONDUCTED BY THE DESIGN REVIEW COMMITTEE. AT THEIR FIRST MEETING THE COMMITTEE MEMBERS SHALL DRAW LOTS FOR THE PURPOSE OF ASSIGNING ONE THREE-YEAR TERMS, ONE TWO-YEAR TERMS, AND ONE ONE-YEAR TERM RESPECTIVELY. AT THE EXPIRATION OF EACH INITIAL TERM THEREAFTER, ALL COMMITTEE MEMBERS SHALL SERVE THREE-YEAR TERMS. WHENEVER ANY VACANCY SHALL OCCUR IN THE COMMITTEE, BY DEATH, RESIGNATION, OR FROM ANY OTHER CAUSE, THE VACANCY SHALL BE FILLED IN THE MANNER DESCRIBED BELOW. ANY PERSON ELECTED TO FILL A VACANCY SHALL HOLD OFFICE FOR THE UNEXPIRED TERM OF THE PERSON WHOM HE SUCCEEDS. EXCEPT FOR RESIGNATIONS, ALL COMMITTEE MEMBERS SHALL SERVE UNTIL REPLACED BY A QUALIFIED SUCCESSOR. PRIOR TO THE EXPIRATION OF COMMITTEE MEMBERS' TERMS, OR UPON VACANCY ON THE COMMITTEE, ALL SILVER RIDGE ESTATES PROPERTY OWNERS SHALL BE GIVEN WRITTEN NOTICE OF THE EXPIRATION OR VACANCY, AND ASKED TO SUMMIT WRITTEN NOMINATIONS BY PETITION FOR SUCH POSITION. PETITIONS SIGNED BY A MAJORITY OF SILVER RIDGE ESTATES PROPERTY OWNERS SHALL BE REQUIRED TO ELECT A PERSON TO FILL A VACANCY. IN SUCH PETITION ELECTIONS EACH REGISTERED OWNER SHALL ONLY BE ALLOWED TO VOTE BY SIGNING ONE PETITION. IF A MAJORITY CANNOT BE OBTAINED DUE TO THE NUMBER OF NOMINEES, A RUN-OFF PETITIONING SHALL BE HELD BETWEEN THE TWO NOMINEES WITH THE LARGEST AND SECOND LARGEST NUMBER OF VOTES. TABULATION OF VOTES AND NOTIFICATION OF RESULTS TO ALL OWNERS SHALL BE THE RESPONSIBILITY OF THE COMMITTEE.

96 MAR 14 AM 10:03

THE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF 15 YEARS FROM THE DATE THESE COVENANTS ARE RECORDED, AFTER WHICH TIME THESE COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS, UNLESS AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED, AGREEING TO CHANGE THESE COVENANTS IN WHOLE OR IN PART. ANY DEVIATIONS FROM THE CONDITIONS IN THIS DECLARATION WILL BE ALLOWED BY A MAJORITY VOTE OF THE COMMITTEE.

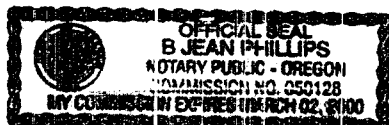
INVALIDATION OF ANY OF THESE COVENANTS SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

THE FOLLOWING CONDITIONS AND RESTRICTIONS SHALL BIND AND ENURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY SUIT FOR INJUNCTION OR FOR DAMAGES, BY THE OWNER OR OWNERS OF ANY OF THE ABOVE DESCRIBED LANDS, EACH OF THEIR LEGAL REPRESENTATIVES, HEIRS, SUCCESSORS, OR ASSIGNS. FAILURE TO ENFORCE ANY OF SUCH CONDITIONS OR RESTRICTIONS SHALL IN NO EVENT BE DEEMED A WAIVER OF THE RIGHT TO DO SO THEREAFTER.

SHOULD SUIT OR ACTION BE INSTITUTED TO ENFORCE ANY OF THE FOLLOWING RESTRICTIONS OR COVENANTS AFTER WRITTEN DEMAND FOR THE DISCONTINUANCE OF A VIOLATION THEREOF, AND ANY FAILURE TO DO SO, THEN, WHETHER SAID SUIT BE REDUCED TO DECREE OR NOT, THE OWNER SEEKING TO ENFORCE OR TO RESTRAIN ANY SUCH VIOLATION SHALL BE ENTITLED TO HAVE AND RECOVER FROM SUCH DEFENDANT OR DEFENDANTS, IN ADDITION TO THE COSTS AND DISBURSEMENTS ALLOWED BY LAW, SUCH SUM AS THE COURT MAY ADJUDGE REASONABLE AS AN ATTORNEY FEE IN SUCH SUIT OR ACTION.

1. JAKE ROAD AND JAKE COURT ARE DEDICATED ROADS. THE PRIMARY PURPOSE OF THE ROADS IS FOR INGRESS AND EGRESS AND UTILITIES. LOTS 1-14 WILL SHARE EQUALLY IN THE COST OF ROAD MAINTENANCE, SNOW REMOVAL, AND ANY OTHER COSTS COMMON THE ABOVE LOTS ON THE ROAD.
2. THE PURCHASER OF EACH LOT CREATED VIA THIS SUBDIVISION WILL RECORD A WRITTEN STATEMENT WITH THE DEED WHICH RECOGNIZES THE RIGHTS OF ADJACENT AND NEARBY LAND OWNERS TO CONDUCT FARM AND FOREST OPERATIONS CONSISTENT WITH ACCEPTED FARM PRACTICES AND THE OREGON FOREST PRACTICES ACT.
3. FISH & WILDLIFE
  - A) MAINTAIN NATURAL VEGETATION WHEREVER POSSIBLE
  - B) NO FEEDING OF DEER
  - C) NO DOGS RUNNING AT LARGE
  - E) NO FENCES BUILT HIGHER THAN 42" FOR DEER SAFETY
  - F) DISTRIBUTE BROCHURES ON COUGAR AWARENESS

4. UTILITY CONNECTIONS
  - A) ALL UTILITIES SHALL BE BROUGHT UNDERGROUND FROM THE POINT OF THE UTILITY COMPANY CONNECTION TO THE STRUCTURE WHENEVER POSSIBLE.
5. DWELLING QUALITY AND SIZE
  - A) MINIMUM SQUARE FOOTAGE PER SINGLE - FAMILY DWELLING IS 1200 SQUARE FEET.
  - B) MULTI-SECTION HOMES SHALL BE ALLOW IF THEY WERE CONSTRUCTED AFTER 1995 - (BLOCK WALL FOUNDATION REQUIRED)
6. NO PARCEL SHALL BE USED AS A BUSINESS
7. RECREATIONAL VEHICLES ARE NOT PERMITTED TO BE PARKED ON ANY STREET OR ROAD
8. FIRE SAFETY
  - A) A 30,000 GAL. WATER RESERVE TANK SHALL BE LOCATED WITHIN THE SUBDIVISION
- 9) LIVESTOCK AND POULTRY
  - A) DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT, PROVIDED THAT THEY ARE NOT FOR COMMERCIAL PURPOSES. NO ANIMALS ARE TO BE ALLOW TO ROAM OUTSIDE OWNERS PREMISES WITHOUT BEING CONTROLLED BY OWNER. THREE HORSES OR COWS - OR A COMBINATION THEREOF (THREE TOTAL) MAY BE KEPT
- 10) NO JUNK VEHICLES ALLOWED
- 11) NO PARCEL SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH, OR GARBAGE AND OTHER WASTE SHALL NOT BE KEPT, EXCEPT IN SANITARY CONTAINERS.
- 12) EACH PARCEL AND ITS IMPROVEMENTS SHALL BE MAINTAINED IN A CLEAN AND ATTRACTIVE CONDITION, IN GOOD REPAIR AND IN SUCH A FASHION AS NO TO CREATE A FIRE HAZARD OF VISUAL POLLUTION.



BY: Susan J. Scott  
SUSAN J. SCOTT / OWNER

BY: Randy R. Scott  
RANDY R. SCOTT / OWNER

STATE OF OREGON,

County of Klamath

ss.

FORM No. 23—ACKNOWLEDGMENT.  
Stevens-Ness Law Publishing Co., Inc.  
Portland, OR 97204 © 1992

BE IT REMEMBERED, That on this 13th day of May, 1996, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named Susan J. Scott and Randy R. Scott

known to me to be the identical individual S described in and who executed the within instrument and acknowledged to me that they 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.

B. Jean Phillips  
Notary Public for Oregon  
My commission expires 3-2-2000

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Randy R Scott the 14th day of May A.D., 19 96 at 11:03 o'clock A M., and duly recorded in Vol. M96 of Deeds on Page 13784

FEE \$20.00

By Bernetha G. Letsch, County Clerk