

DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS
OF
SILVER RIDGE ESTATES 1ST ADDITION

SILVER RIDGE ESTATES 1ST ADDITION IS LOCATED IN KLAMATH COUNTY, OREGON, AND DOES HEREBY MAKE THE FOLLOWING DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS COVERING THE ABOVE-DESCRIBED REAL PROPERTY, SPECIFYING 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 THE LIMITATION UPON ALL FUTURE OWNERS OF SAID REAL PROPERTY.

PURPOSE: IT IS THE PURPOSE OF THE DEVELOPERS TO CREATE A SUBDIVISION WHICH ENHANCES THE NEIGHBORING RESIDENTIAL AREAS AND IS AN ASSET TO KLAMATH COUNTY. THE DEVELOPERS DESIRE THAT THIS WILL BE A BEAUTIFUL, DESIRABLE AREA OF ATTRACTIVE HOMES AND YARDS, A PLACE WHERE PEOPLE ARE PROUD TO LIVE. THE PLAN DESCRIBED HEREIN IS WITH THAT PURPOSE IN MIND.

A. GENERAL PROVISIONS

1. LAND USE AND BUILDING TYPE: ALL LOTS SHALL BE USED AS SINGLE FAMILY RESIDENTIAL DWELLINGS.
2. UTILITY CONNECTIONS: ON EACH OF THE LOTS, NO ABOVE-GROUND UTILITIES, PIPES, WIRES, SHALL BE USED TO CONNECT A TELEPHONE SYSTEM, POWER SYSTEM, AND OTHER IMPROVEMENTS WITH SUPPLYING FACILITIES. SATELLITE DISHES SHALL BE UNOBTRUSIVE AND NOT BLOCK ANY VIEWS OF OTHER PROPERTIES.
3. TEMPORARY STRUCTURES: NO STRUCTURES OF A TEMPORARY CHARACTER, TRAILER, BASEMENTS, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDINGS SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY.
4. FENCES: NO FENCE, WALL OR HEDGE IN EXCESS OF SIXTY (60) INCHES IN HEIGHT SHALL BE PERMITTED TO EXTEND FROM MINIMUM FRONT SETBACK LINE OF THE HOUSE TO THE CURB LINE OF THE STREET. LOT PERIMETER FENCING CAN BE MADE OF MATERIALS THAT ARE CONDUCTIVE TO ANIMAL CONTROL, IE: BARB WIRE, STEEL RAILING ETC.
5. NUISANCES: NO NOXIOUS OR OFFENSIVE ACTIVITIES SHALL BE CARRIED UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON, WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD. THE SHOOTING OF BB GUNS, AIR RIFLES, FIREARMS OR DANGEROUS TYPE WEAPONS ON THE PREMISES ARE PROHIBITED. NO CROWING FOWL WILL BE ALLOWED.

6. VIEW: NO VIEW SHALL BE OBSTRUCTED BY NATURAL OR PLANTED LANDSCAPING, FENCING, OR UNNECESSARILY BY ANY STRUCTURE. LOT LAYOUT SHALL BE DONE WITH THE INTENTION OF PROVIDING MAXIMUM VIEW FOR THE LOTS BEHIND THEM. LOT LAYOUT (HOMESITE LOCATION) APPROVAL REQUIRED BY THE A.C.R.C. (ARCHITECTURAL CONTROL REVIEW COMMITTEE)

7. LIVESTOCK AND POULTRY: LIVESTOCK WILL BE ALLOWED AS PERMITTED PER COUNTY PLANNING (R-5) ZONE CODE. DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT, PROVIDED THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSES. NO ANIMALS ARE TO BE ALLOWED TO ROAM OUTSIDE OWNERS PREMISES WITHOUT BEING CONTROLLED BY OWNER OR ON A LEASH. NO MORE THAN TWO DOGES ARE ALLOWED PER HOME. DOGS THAT BARK EXCESSIVELY ENOUGH TO DISTURB PEOPLE ON A CONSISTENT BASIS WILL BE JUST CAUSE TO HAVE THE POUNDMASTER GIVE THE OWNERS DUE WARNING, AND THEN THEY MUST BE EITHER RESTRAINED WITH LEGAL SILENCERS OR BE REMOVED. UNSIGHTLY DESTRUCTION OF LANDSCAPING OR PROPERTY BY PETS, TO THE POINT IT IS OFFENSIVE TO THE NEIGHBORS, SHALL BE GROUNDS FOR LEGAL ACTION AND POSSIBLE REMOVAL OF THE PET(S).

8. GARBAGE AND REFUSE DISPOSAL: 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 AT ALL TIMES. ALL EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN CLEAN, SANITARY CONDITION. NO RUBBISH MAY BE BURNED OR BURIED ON OR NEAR SILVER RIDGE ESTATES 1ST ADDITION PROPERTY EXCEPT FOR LAND CLEARING. NO PARCEL SHALL BE USED 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 OENOXIOUS TO THE EYE, NOR SHALL ANY SUBSTANCE, THING OR MATERIAL BE KEPT UPON ANY LOT THAT WILL OR MIGHT DISTURB THE PEACE, COMFORT OR SERENITY OF OCCUPANTS OF SURROUNDING PROPERTY. ALL LOTS MUST BE MAINTAINED AT ALL TIMES TO CONTROL AND PREVENT GRASS AND RANGE FIRES UPON THE PROPERTY. ALL GARBAGE CONTAINERS, CUTTINGS REFUSE, FUEL TANKS, CLOTHES LINES AND OTHER SERVICE FACILITIES MUST BE SCREENED FROM VIEW OR LOCATED IN THE BACKYARD OF EACH HOMESITE.

9. COMPLETION OF CONSTRUCTION: ALL DWELLINGS SHALL BE COMPLETED WITHIN SIX (6) MONTHS AFTER BEGINNING CONSTRUCTION. ALL GARAGES SHALL BE COMPLETED WITHIN 12 MONTHS FROM DATE OF BEGINNING CONSTRUCTING ON THE MAIN DWELLING.

10. ROADS: ALL ROADS WERE DEDICATED TO THE COUNTY AND SHALL BE MAINTAINED BY THE SILVER RIDGE ESTATES 1ST ADDITION OWNER'S ASSOCIATION (SRE 1ST ADD HOA), LOTS 16-27. THE PRIMARY PURPOSE OF THE ROADS IS FOR INGRESS AND EGRESS AND FOR ALL UTILITIES SERVING ALL LOTS. DUES FOR SRE 1ST ADD HOA WILL BE ASSESSED FOR ROAD MAINTENANCE, SNOW REMOVAL AND , OR ANY OTHER ASSESSMENT COMMON TO THE ABOVE LOTS ON THE ROAD. COST WILL BE SPLIT EQUALLY 1/16 PER LOT.

11. EASEMENTS: EASEMENTS FOR INSTALLATION AND MAINTENANCE OF ALL UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORDED PLAT. OWNERS SHALL PROVIDE A CLEAR STRIP FREE OF BUILDING AND OTHER MATERIAL ON SAID EASEMENT.

12. SILVER RIDGE STATES 1ST ADDITION: ALL LOTS OWNERS, 16-31, WILL AUTOMATICALLY BE A MEMBER OF THE (SRE 1ST ADD HOA)

B. SINGLE-FAMILY RESIDENTIAL PROVISIONS:

1. DWELLING QUALITY AND SIZE: ON LOTS 16-31 NO BUILDING OTHER THAN A SINGLE-FAMILY DWELLING FOR PRIVATE USE MAY BE CONSTRUCTED. NO MORE THAN ONE SINGLE-FAMILY DWELLING PER LOT. GARAGES ARE REQUIRED AND MUST BE ATTACHED. BARNs ARE PERMITTED SITE BUILT & MANUFACTURED HOMES ARE ALLOWED AS LONG AS THE FOLLOWING CRITERIA IS MET.

- 1) ALL MANUFACTURED HOMES MUST BE NEW. (NEVER LIVED IN)
- 2) MANUFACTURED HOMES MUST BE 1500 SQ. FT. MIN. WITH FOUNDATION CONCRETE BLOCK WALLS. NO SKIRTING ALLOWED. ALL PLANS TO BE APPROVED BY A.C.R.C. PRIOR TO DELIVERY OF HOME.
- 3) ALL GARAGES ARE REQUIRED AND BE ATTACHED TO HOME, AND/OR VIA A BREEZE WAY.
- 4) ALL SITE BUILT HOMES ARE TO BE 1500 SQ. FOOT MIN. & ALL PLANS ARE TO BE APPROVED BY HOME OWNERS ASSOC. PRIOR TO CONSTRUCTION.
- 5) ROOF MATERIALS ARE NOT TO BE WHITE OR REFLECTIVE IN COLOR.
- 6) ALL BARN LOCATIONS ARE TO BE A.C.R.C.
- 7) NO TWO STORY BUILDINGS ARE TO BE BUILT WITHOUT PRIOR APPROVAL OF A.C.R.C.

2. BUILDING LOCATION: NO STRUCTURE SHALL BE LOCATED ON ANY LOT NEARER THAN TWENTY (20) FEET FROM THE LOT LINE. NO STRUCTURE SHALL BE LOCATED NEARER THAN TEN (10) FEET TO AN INTERIOR SIDE LOT LINE. NO STRUCTURE SHALL BE LOCATED ON ANY LOT NEARER THAN 20 FEET TO THE REAR LOT LINE.

3. USE: EACH LOT SHALL BE FOR RESIDENTIAL USE ONLY. NO OTHER COMMERCIAL ACTIVITY OF ANY KIND SHALL BE CONDUCTED IN OR FROM THIS PROPERTY.

4. LANDSCAPING: ALL FRONT YARDS SHALL BE LANDSCAPED WITHIN TWELVE (12) MONTHS AFTER THE EXTERIOR OF THE MAIN BUILDING IS FINISHED, TO BE NATURAL LOOKING, OR WITH BARK CHIPS, ROCKS, SHRUBS AND EVERGREENS IN A PROFESSIONAL LOOKING MANNER. ALL NEW PLANTINGS ARE ENCOURAGED TO BE AN EXTENSION OF THE NATURAL VEGETATION.

5. MAINTENANCE OF LOTS: EACH PARCEL AND ITS IMPROVEMENTS SHALL BE MAINTAINED IN A CLEAN AND ATTRACTIVE CONDITION, IN GOOD REPAIR AND IN SUCH A FASHION AS NOT TO CREATE A FIRE HAZARD OR VISUAL POLLUTION.

6. LIGHTING: NO OFFENSIVE EXTERIOR LIGHTING OR NOISE MAKING DEVICES SHALL BE INSTALLED OR MAINTAINED ON A LOT WITHOUT A.C.R.C. APPROVAL.

7. SIGNS: NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT. EXCEPT ONE SIGN OF NOT MORE THAN NINE SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT.

8. PARKING: PARKING OF RECREATIONAL VEHICLES IS NOT PERMITTED ON THE STREET OR IN FRONT OF RESIDENCES. THE STREETS SHALL NOT BE USED FOR PARKING VEHICLES, EXCEPT ON A TEMPORARY BASIS. OFF-STREET PARKING SHALL BE PROVIDED BY EACH PROPERTY OWNER FOR AT LEAST TWO VEHICLES. NO PARKING OR STORAGE OF CARS, TRAILERS, TRUCKS, CAMPERS, BOATS, BOAT TRAILERS, SNOWMOBILES, OR OTHER OFF-STREET VEHICLES SHALL BE PERMITTED ON ANY PORTION OF THE PROPERTY UNLESS THEY ARE GARAGED, SCREENED, OR PLACED UPON THE PORTION OF THE LOT TO THE SIDE OR REAR OF THE MAIN DWELLING.

C. REMEDIES AND PROCEDURES

1. HOME OWNERS ASSOC. CONTROL REVIEW COMMITTEE: (A.C.R.C.) NO BUILDING SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE CONSTRUCTION PLANS AND SPECIFICATIONS, AND A PLAN SHOWING THE LOCATION OF THE STRUCTURE HAVE BEEN APPROVED BY THE CONTROL REVIEW COMMITTEE AS TO QUALITY OF WORKMANSHIP AND MATERIAL HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES, AND AS TO LOCATION WITH RESPECT TO TOPOGRAPHY AND FINISH GRADE ELEVATIONS. NO FENCE SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT NEARER TO THE PRIVATE STREET THAN THE MINIMUM BUILDING SET-BACK LINE, UNLESS SIMILARLY APPROVED. APPROVAL SHALL BE AS PROVIDED IN THIS SECTION.

2. GENERAL PROVISIONS: TERM. THESE COVENANTS ARE TO RUN WITH THE LAND AND ARE TO BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF TEN (10) YEARS FROM THE DATE THESE COVENANTS ARE RECORDED, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF FIVE (5) YEARS. HOWEVER, AT ANY TIME AN INSTRUMENT SIGNED BY A TWO THIRDS OF THE PRESENT OWNERS OF THE LOTS CAN BE RECORDED, AGREEING TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

3. ENFORCEMENT: THE HOME OWNERS ASSOC. CONTROL REVIEW COMMITTEE (A.C.R.C.) SHALL HAVE THE RIGHT IN THE EVENT ANY PROPERTY WITHIN SILVER RIDGE ESTATES 1ST ADDITION SUBDIVISION IS NOT ADEQUATELY CARED FOR TO NOTIFY THE NEGLIGENT PARTY OF THE CONDITION IN WRITING; IF SIGNIFICANT ACTION IS NOT COMMENCED BY THE NEGLIGENT PARTY TO CORRECT THE MATTER WITHIN TEN (10) DAYS OF SUCH WRITTEN NOTIFICATION, THEN THE HOME OWNERS ASSOC. CONTROL REVIEW COMMITTEE MAY, AT ITS SOLE DISCRETION, HIRE THE SERVICES OF THOSE PERSONS NECESSARY TO RECTIFY THE CONDITION AND LEVY CHARGES AGAINST THE NEGLIGENT PROPERTY OWNER IN SUM ADEQUATE TO PAY FOR THE CORRECTIVE MEASURES. SUCH SUMS SHALL BECOME A LIEN AGAINST THE SUBJECT PROPERTY IF NOT PAID IN FULL WITHIN FIFTEEN (15) DAYS OF BILLING. THIS IS MADE ACCEPTABLE IN APPEARANCE AS SET OUT IN THE PROTECTIVE COVENANTS ESTABLISHED FOR SILVER RIDGE ESTATES 1ST ADDITION SUBDIVISION. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON(S) VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT, EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES. THESE CC & R'S ARE PRIVATE AND WILL NOT BE ENFORCED BY THE CITY, ALTHOUGH ALL CITY AND COUNTY CODES AND ORDINANCES ARE APPLICABLE.

4. SEVERABILITY: INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER IN FULL FORCE AND EFFECT.

5. MEMBERSHIP: THE INITIAL REVIEW COMMITTEE SHALL BE COMPOSED OF THREE MEMBERS TO BE DESIGNATED BY THE UNDER-SIGNED OWNER. AFTER ALL LOTS ARE SOLD THE LOT OWNERS SHALL ELECT THE THREE MEMBERS OF THIS COMMITTEE FROM TIME TO TIME.

6. PROCEDURES: THE COMMITTEE'S APPROVAL OR DISAPPROVAL AS REQUIRED IN THESE COVENANTS, SHALL BE IN WRITING. IN THE EVENT THE COMMITTEE, OR ITS DESIGNATED REPRESENTATIVE, FAILS TO RESPOND WITHIN SEVEN (7) DAYS AFTER PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED AND ACCEPTED IT, AND IF NO SUIT TO ENJOIN THE CONSTRUCTION HAS BEEN COMMENCED PRIOR TO THE COMPLETION THEREOF, APPROVAL WILL NOT BE REQUIRED AND THE RELATED COVENANTS SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH. APPROVED OR DISAPPROVED MUST BE DETERMINED WITHIN 14 DAYS UNLESS EXTENUATING CIRCUMSTANCES PREVENT A DECISION.

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7. **TERM:** THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING, HOWEVER, THEY MAY BE AMENDED BY TWO-THIRDS OF THE PROPERTY OWNERS. "OWNER" IS CONSTITUTED BY ONE NAME HELD ON TITLE, NOT ONE VOTE.

RANDY R. SCOTT

Randy R. Scott
OWNER

SUSAN J. SCOTT

Susan J. Scott
OWNER

Return: Scott Surveying
6640 S. 6th St
Klamath Falls, OR 97603

Susan J. Scott
by Randy R. Scott
ATTORNEY IN FACT

State of Oregon

County of Klamath

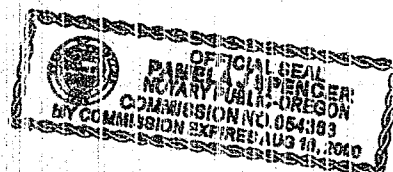
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Personally appeared the above named RANDY R. SCOTT, individually and as Attorney in fact for Susan J. Scott, and acknowledged the foregoing instrument to be his voluntary act and deed.

WITNESS My hand and official seal.

(seal)

Camela Spence
Notary Public for Oregon
My Commission expires: 8/16/2000



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Scott Surveying the 7th day of Nov A.D., 1997 at 11:55 o'clock A. M., and duly recorded in Vol. M97 of Deeds on Page 36974.

FEE \$35.00

By Bernetha G. Letsch, County Clerk
Kathleen Ryan