DECLARATION OF CONDITIONS AND RESTRICTIONS AFFECTING LOTS IN
BALD PEAK SUBDIVISION

Whereas, The Declarants have heretofore filed for record in the office of the County Clerk of the County of Yamhill, State of Oregon, a plat designated as "BALD PEAK SUBDIVISION", being in NW1/4 Section 22, Township 2 South, Range 3 West, Wilamette Meridian, Yamhill County, Oregon; and

Whereas, the Declarants are the owners of record of all real property included therein.

Now, Therefore, Declarants do hereby adopt the following general scheme and plan for the improvement, use and restrictions on the use of lands included within the plat of the aforesaid Bald Peak Subdivision, for the enjoyment and benefit of Declarants as owners of said lands, their successors and assigns, and for the enjoyment and benefit of any lot in said Bald Peak Subdivision claiming through the Declarants; and Declarants do hereby declare that having adopted such general scheme and plan, the same is hereby impressed and fixed upon all lots in said Bald Peak Subdivision and each lot thereof and that all successors and grantees who derive title from Declarants shall take title subject to such general scheme and plan; even though no reference be made in the deed of conveyance; and the passing of title to any lot in said Bald Peak Subdivision shall carry with it the obligation and burden of such general scheme and plan. The said general plan and scheme shall consist of the following:

1. Land Use and Buildings: No buildings or parts thereof shall be created or maintained or used on said premises for manufacturing or commercial purposes.

2. Dwelling Quality and Size: No dwelling will be permitted on any lot with a main floor of less than 1500 square feet on a one story dwelling, or 800 square feet on a basement or two story dwelling exclusive of open porches and garage. Siding and Roofing to be quality materials, considered as finish materials in housing.

3. Easements: Easements will be established on the recorded plat and the road maintenance agreement. Dwellings shall be spaced a minimum distance of 40 feet apart, as well as to the property line set backs required by the Yamhill County Zoning Ordinance.

STATE OF OREGON) 06699
County of Yamhill )
I hereby certify that the
within was received and duly
recorded by me in Yamhill
County records:

Charles Stern, County Clerk

C.H. Schwein
BALD PEAK SUBDIVISION

4. Nuisances: 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 any annoyance or nuisance to the neighborhood. No basement, tent, shack, garage or other outbuildings shall be at any time used as a residence, temporarily or permanently. No house trailer or boat trailer or any other type of trailer shall be stored or parked on any part of any lot; provided, however, that a trailer may be used for temporary housing for up to one year during construction of the dwelling, also provided, however, that trailers other than house trailers may be kept inside the garage upon the lot.

5. Livestock and Poultry: No animals, livestock, or poultry shall be bred, kept, or maintained for any commercial purpose.

6. Completion of Construction: Dwellings to be substantially completed within one year of starting construction.

7. Garbage and Refuse Disposal: No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

8. General Provisions:

a. These restrictions, covenants and agreements are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1991, at which time said covenants shall be automatically extended for a successive period of twenty five years unless by a vote of the majority of the then owners of the lots it is agreed to change the said covenants in whole or in part.

b. If the parties hereto, or any of them, or the grantee of any tract or lot in said Bald Peak Subdivision deriving title through Declarants, or any of them, shall violate or attempt to violate any of the covenants herein, it shall be lawful for the owners of any lot in said Bald Peak Subdivision to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate any such covenant to prevent him or them from so doing and/or recover damages for such violation.

c. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

[Signature]

Alfred H. W. Hes and
10. The Declarants reserve the right to change or remove any of the foregoing restrictions and conditions in whole or in part and on any one lot or group of lots as long as title to the property on which the conditions and restrictions are being changed or removed remains in the name of the Declarants or any one of the Declarants.

Effie Karpow

Matthew R Kovenz

Loretta M. Kovenz

Jan E. Jones

Alfred McMain

Josephine McMain

C. H. Schreiber

OWNERS:  C. H. Schreiber

STATE OF OREGON )
County of Yamhill )  ss  April 25, 1986

Personally appeared the above-named C. H. Schreiber
and acknowledged the foregoing instrument

to be his voluntary act and deed.

NOTARY PUBLIC FOR OREGON
COMMISSION EXPIRES 8/31/86
10. The Declarants reserve the right to change or remove any of the foregoing restrictions and conditions in whole or in part and on any one lot or group of lots as long as title to the property on which the conditions and restrictions are being changed or removed remains in the name of the Declarants or any one of the Declarants.

Effie Karpow
Matthew R Kovenz
Loretta M. Kovenz

Jan E. Jones

Alfred McLean

OWNERS: Alfred McLean  Jean McLean

STATE OF OREGON  
Delegates  
County of Yamhill  

May 5  1985

Personally appeared the above-named Alfred McLean and Jean McLean and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

Charles J. Franklin
Notary Public for Oregon
My commission expires 04-28-86
10. The Declarants reserve the right to change or remove any of the foregoing restrictions and conditions in whole or in part and on any one lot or group of lots as long as title to the property on which the conditions and restrictions are being changed or removed remains in the name of the Declarants or any one of the Declarants.

Effie Karpow

Matthew R Kovenz

Loretta M. Kovenz

Jan E. Jones

Property Description: Bald Peak Subdivision ORMCO

STATE OF OREGON } in. May 6, 1985
County of Yamhill }

Personally appeared the above-named Jan E. Jones

and acknowledged the foregoing instrument to be voluntary act and deed.

BEFORE ME:

[Notary Public for Oregon]

My commission expires: 4-4-87
BALD PEAK SUBDIVISION

10. The Declarants reserve the right to change or remove any of the foregoing restrictions and conditions in whole or in part and on any one lot or group of lots as long as title to the property on which the conditions and restrictions are being changed or removed remains in the name of the Declarants or any one of the Declarants.

Effie Karpow
Matthew R Kovan
Loretta M. Kovan
Jan E. Jones

STATE OF OREGON
County of Washington

On MAP 7, 1985, personally appeared the above named EFFIE Karpow

and acknowledged the foregoing instrument to be my voluntary act and deed.

Before me:

(SEAL)
ERIC SANTIAGO
Notary Public for Oregon
My Commission Expires 09-07-76
L 58 BF rev. 3-76 (PUPOPFD)
10. The Declarants reserve the right to change or remove any of the foregoing restrictions and conditions in whole or in part and on any one lot or group of lots as long as title to the property on which the conditions and restrictions are being changed or removed remains in the name of the Declarants or any one of the Declarants.

Effie Karpow
Matthew R Kovenz
Loretta M Kovenz

Property Description: Bald Peak Subdivision Owners

Matthew Kovenz
Loretta M Kovenz

STATE OF OREGON ss. May 3, 1985
County of Yamhill

Personally appeared the above-named Matthew R Kovenz and acknowledged the foregoing instrument to be voluntary act and deed.

[Stamp]
Notary Public for Oregon
My commission expires: 1-1-89