After recording return to:
Doug Kizer
P.O. Box 1362
McMinnville, Or 97128

Declaration Of Protective Covenants
Gerhard Phase I

Lots 1 - 23

All lots listed above shall be conveyed, encumbered, used, improved, and occupied subject to these covenants.

(A) All improvements shall meet zoning and building codes as required by the City Of McMinnville. All use and occupancy shall be legal and shall conform to the laws and ordinances of the City Of McMinnville.

(B) All houses shall have a minimum area of 1600 square feet exclusive of open porches and garages. (Exception lots 2&3, 21&22 may be 1000 square feet) All houses shall have a minimum of a one car garage. All detached buildings must be enclosed and no more than 18 feet high

(C) Off site built homes, factory built homes, and mobile homes are not permitted

(D) All homes shall have lap siding. No T1-11, sheet siding, or vinyl siding. All exterior paint colors shall be earth tone.

(E) Front yard’s and planter strip areas must be irrigated. Campers, RV’s, and Boat’s will be stored in garage or on concrete pad behind a fence.

(F) The covenants, easements, and restrictions contained herein shall run with the property and shall be binding upon all parties having or acquiring any right, title, or interest in the property and shall inure to the benefit of each owner thereof. The covenants and restrictions of this declaration may be amended or terminated by ordinance, court decree, or by an instrument signed by at least 75 percent of the lot owners. Any amendment must be recorded. However, invalidation of any of the covenants or restrictions shall in no way affect any of the other provisions.

(G) Any owner of the afore mentioned Lot shall have the right to enforce by proceedings at law or in equity the restrictions and covenants imposed by the provisions of this declaration. Failure to do so by any owner shall in no event be deemed a waiver, or the right to do so thereafter.

(H) In the case of a suit or action or appeal of action is instituted to enforce the provisions hereof, the losing party agrees to pay such sum, as the court may adjudge reasonable as attorney’s fees to be allowed the prevailing party.

Dated this 10 day of January, 2005

WILDCAT INVESTMENT PROPERTY LLC

State of Oregon, County of Yamhill)ss.

This instrument was acknowledged before me this 10 day of January, 2005 by Douglas A. Kizer, Manager/Member of Wildcat Investment Property LLC, an Oregon limited liability company.
GERHARD

PHASE 1

A subdivision in the Southwest Quarter of Section 10, Township 4 South, Range 4 West, Willamette Meridian, within the Madison Malheur Donation Land Claim No. 49, City of McMinville, Yamhill County, Oregon.

Docket No. City of McMinville 52-02 (Adder Addition)

Tax Lot: 4401C–100

Date: 2 January 2005

By: Walt Dunand & Assoc.,

730 Riverside Drive
Madras, Oregon 97741

Phone: 503-472-7604
Fax: 503-472-0307

Email: dunand@waltcom.com

Drawn By: Nathan Magnus

SHEET INDEX

Sheet 1  Boundary Solution, Plot of lots 1–23, Legend Curve Table
Sheet 2  Easement Details, Surveyor's Certificate, Notes
Sheet 3  Declaration, Acknowledgments, Approvals

CURVE TABLE

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LEGEND

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- monument found, flush to 0.2 down, in fair condition unless otherwise noted.
- monument found, flush to 0.2 down, in fair condition unless otherwise noted.
- [symbol] - monument found, flush to 0.1 down, in fair condition unless otherwise noted.
- [symbol] - monument found, flush to 0.1 down, in fair condition unless otherwise noted.
- [symbol] - monument found, flush to 0.1 down, in fair condition unless otherwise noted.

This is an exact copy of the original plat of GERHARD PHASE 1.

REPUBLICAN LAND SURVEYING

OREGON

NATHAN E. MAGNUS

503-472-7604

1/30/2005

RECORD SHEET 1 OF 3

NATHAN E. MAGNUS

REPUBLICAN LAND SURVEYING
DECLARATION

KNOW ALL MEN BY THESE PRESENTS: THAT WILDCAT INVESTMENT PROPERTIES, LLC, is the owner of the lands in fee, and FIRST FEDERAL SAVINGS & LOAN ASSOCIATION, as the holder of a Deed of Trust, as recorded in Instrument No. 2004-06396, Yamhill County Deed Records, of the lands represented on the attached map, and which lands are particularly described in the Surveyor's Certificate and have caused said lands to be surveyed and platted into lots, streets, right of way and easements as shown and noted on the attached map, in accordance with the provisions of the respective O.R.S. and the standards of the City of McMinnville, to be dedicated as "GERHARD PHASE 1." We the undersigned do hereby dedicate for the public use forever all streets, rights of ways and easements for the purposes shown and noted on the attached map, and those easements shown and noted herein as benefiting the City of McMinnville, by and through its Water & Light Commission.

[Signature]

ACKNOWLEDGMENT

WILDCAT INVESTMENT PROPERTIES, LLC

STATE OF OREGON

Notary Public - Oregon (print name)

COUNTY OF YAMHILL

Commission Number: 381465

[Signature]

On this 10th day of JANUARY, 2003, personally appeared before me, a Notary Public for the State of Oregon, OSU XZER, member of WILDCAT INVESTMENT PROPERTIES, LLC, an Oregon Limited Liability Company, and that this Declaration was voluntarily signed and sealed by him in my behalf and pursuant to authority of said company.

[Signature]

RANDY HARTWELL, Vice President
FIRST FEDERAL SAVINGS & LOAN ASSOCIATION

ACKNOWLEDGMENT

KELI CARR

STATE OF OREGON

Notary Public - Oregon (print name)

COUNTY OF YAMHILL

Commission Number: 85631

[Signature]

On this 11th day of JANUARY, 2003, personally appeared before me, a Notary Public for the State of Oregon, RANDY HARTWELL, Vice President of FIRST FEDERAL SAVINGS & LOAN ASSOCIATION, an Oregon Corporation, and that this Declaration was voluntarily signed and sealed by him in my behalf and pursuant to authority of said corporation.