DECLARATION OF CONDITIONS AND RESTRICTIONS
OF
HIDDEN HILLS SUBDIVISION #2
OF
YAMHILL COUNTY, OREGON

KNOW ALL MEN BY THESE PRESENTS, that NEVES, INC., an Oregon corporation, HIDDEN HILLS WATER COMPANY, an Oregon corporation, ROYAL C. CONLEY and ARTIE C. CONLEY, husband and wife, ROBERT ABRAMS and MARALYNN ABRAMS, husband and wife, LYLE FARROW and JOYCE FARROW, husband and wife, and DONALD W. SULLIVAN and FRANCES SULLIVAN, husband and wife, LEON F. BERTRAM and PATRICIA A. BERTRAM, husband and wife, and IVOR A. SCHOTT and HELEN W. SCHOTT, husband and wife, who are hereinafter collectively referred to as the "Declarants", do hereby declare as follows:

WHEREAS, Declarants are the fee owners of certain real property located in Yamhill County, Oregon, according to the plat thereof on record in the office of the County Clerk of Yamhill County, Oregon, which property is known as all of Hidden Hills #2, and the property in Yamhill County, Oregon, described as:

PARCEL NO. 1

Beginning at a point in the center of the existing public roadway, said point being south 1772.72 feet and east 736.17 feet from the most easterly southeasterly corner of the John F. Johnson Donation Land Claim, Township 4 South, Range 5 West, Willamette Meridian, Yamhill County, Oregon; thence North 32°36' West 30 feet to the North boundary of the existing road; thence South 57°24' West 594.56 feet along the North boundary of the existing road to an iron pin; thence North 03°36' East 263.69 feet to an iron rod; thence North 16°08' East 356.11 feet to an iron rod; thence South 72°25'15" East 596.79 feet to a point in the center of the existing public roadway; thence along the center of said roadway, South 54°58' West 319.04 feet to the point of beginning, excepting therefrom that portion lying in the public roadway.
PARCEL NO. 2  W/P 79  PAGE 776

A temporary 60-foot road easement along the South boundary of said 4.2-acre tract from the West boundary of the public road Southwesterly along the South boundary of said tract to its West boundary to be used for road purposes only until such time as said temporary road easement becomes a dedicated road in the John P. Johnson Donation Land Claim, Section 14, Township 4 South, Range 5 West, Willamette Meridian, Yamhill County, Oregon.

WHEREAS, Declarants desire to subject the above-described real property to the restrictions, covenants, conditions, easements, liens and charges hereinafter set forth, and all of which is and are for the benefit of said property and for each owner thereof, and shall inure to the benefit of and pass with said property as covenants running with the land, and each and every parcel thereof, and shall apply to and bind the successors in interest, and any future owners thereof;

NOW, THEREFORE, Declarants hereby declare that the above-described property is and shall be held and conveyed upon and subject to the restrictions, covenants, conditions, reservations, easements, liens and charges hereinafter set forth:

1. No portion of said property shall be used for commercial purposes nor for other than residential purposes.

2. No dwelling shall be erected or placed on any of said property which has less than 1,000 square feet of living space, and all dwellings on said property shall be completed no later than one year from the date construction commences.

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

4. No structure of a temporary character, trailer, basement, tent, shack, yurt, barn or other outbuildings shall be used on any lot at any time as a residence, either temporarily or permanently.

-2-
5. The said property is serviced by wells, reservoirs, mains and water lines of the petitioner Hidden Hills Water Company, and each parcel of said property is entitled to receive water for one residential unit from said water company. If any parcel of said property is re-subdivided, or a part thereof sold off; said subdivided part or parcel so sold shall also be entitled to receive water from Hidden Hills Water Company upon paying the prevailing water connection fee as established from time to time by the Board of Directors of Hidden Hills Water Company. The right of said property to receive water from Hidden Hills Water Company is conditioned upon the payment of the periodical user charges as may be published from time to time in the tariffs of said company.

6. The rights in said water company and the duties thereof lies with the owners of said property and appurtenant thereto and runs with the land, and any instrument of conveyance or disposition of an interest in said property includes that property's interest in and to the water company, and upon any such conveyance, foreclosure, transfer or other disposition, the new owner of said property shall notify the registered agent of Hidden Hills Water Company in writing of such change.

7. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of thirty (30) years from the date these covenants are recorded, after which time said 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 said covenants in whole or in part.
8. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

9. Invalidation of any 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.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 24th day of April, 1970.

[Signatures]

[Seal]

I, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ROYAL G. CONLEY & ARTIE C. CONLEY, husband and wife; ROBERT ABRAMS and HARALYN ABRAMS, husband and wife; DONALD W. SULLIVAN & WANDA SULLIVAN, husband and wife; LEON F. BERTHOM and PATRICIA A. BERTHOM, husband and wife; IVOR A. SCHOTT and HELEN W. SCHOTT, husband and wife: known to me to be the identical individuals 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.

[Signature]

Notary Public for Oregon
STATE OF OREGON  

County of Multnomah  

On this 27th day of April, 1970, before me appeared Richard Egner, Jr. and Robert Malott, both to me personally known, who being duly sworn, did say that he, the said Richard Egner, Jr. is the President, and he, the said Robert Malott is the Vice President of FEVERS, INC., an Oregon corporation, the within named corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that the said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and Richard Egner, Jr. and Robert Malott acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

[Signature]

Notary Public for Oregon
My Commission Expires: 2-27-77

STATE OF OREGON  

County of Multnomah  

On this 27th day of April, 1970, before me appeared Richard Egner, Jr. and Robert Malott, both to me personally known, who being duly sworn, did say that he, the said Richard Egner, Jr. is the President, and he, the said Robert Malott is the Vice President of HIDDEN HILLS WATER COMPANY, an Oregon corporation, the within named corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that the said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and Richard Egner, Jr. and Robert Malott acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

[Signature]

Notary Public for Oregon
My Commission Expires: 2-27-77
KNOW ALL MEN BY THESE PRESENTS: That

NEVES INC.

a corporation duly organized

and existing under the laws of the State of Oregon, hereinafter called grantor, for the consideration

hereinafter stated, does hereby grant, sell, convey, and give unto

Donald W. Sullivan, hereinafter called grantee, and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereof, belonging or appertaining thereto, situated in the County of Yamhill, and State of Oregon, described as follows, to-wit:

Lots 1 and 9 Block 1 HIDDEN HILLS # 2

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that said grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except that no portion of the granted premises shall be used for commercial purposes and not for the use or occupancy of mobile trailer homes. All dwellings on said granted premises shall contain a minimum of 1,000 square feet of living space and shall be completed no later than one year for the date construction commences, and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is $3,486.00

Lot 9 $3,127.00

In construing this deed and where the context so requires, the singular includes the plural.

Done by order of the grantor's board of directors, with its corporate seal affixed, this 15 day of April, 1970.

NEVES INC.

By

President

By

Secretary

STATE OF OREGON, County of Multnomah...

Richard E. C. Sullivan, Jr. and James R. Trunett, who, being duly sworn, each for himself and not one for the other, did say that the former is the

president and that the latter is the secretary of Neves Inc., a corporation, and that the seal affixed to this instrument is the corporate seal of said corporation and that said instrument was signed and sealed by all of said corporation by authority of its board of directors; and each of them acknowledged that he knew to be his voluntary act and deed.

Before me, Notary Public for Oregon

My commission expires: 3/27/11

WARRANTY DEED CORPORATION

NEVES INC.

TO

Sullivan

4031

STATE OF OREGON, County of Yamhill

I certify that the within instrument was received for record on the 4th day of June, 1974, at 3:50 o'clock PM, and recorded in book 79 on page 1232. Record of Deeds of said County affixed.

By

County Clerk, Title

Deputy
DEDICATION

Know all men by these presents, that we Robert D. Owens and Marilyn Owens husband and wife, and Owens
Inc. an Oregon Corporation are owners in fee simple of the land shown on the attached plat and more particularly
described in the accompanying certificate below and have
covenanted the same to be transferred and pledged unto M.
and/or M. or upon the plan to be designated
Marilyn Owens and that we hereby declare our
interest, real or personal, to be vested in said
Marilyn Owens and that said instrument is
executed and delivered by us in behalf of and Corporation by authority
of the Board of Directors, and they acknowledged and
instrument to be its voluntary act and deed.

Robert D. Owens
Marilyn Owens
President
Secretary

ACKNOWLEDGEMENT

State Of Oregon County Of Marion. In
the 31st day of June, 1967, personally appeared
Robert D. Owens and Marilyn Owens husband and wife, to the person
presently known and who acknowledged to me they have executed the
same

Robert D. Owens
Marilyn Owens

SURVEYOR'S CERTIFICATE

I Robert D. Owens, being first duly sworn, do certify unto you that I have carefully surveyed
and plotted the said tract of land represented on the accompanying plat in accordance with the
intended survey, the same being a subdivision of the tract shown as a sub-division that the initial point is a point 200.00 feet South and South
from the said survey point, and said point being South and West 200.00 feet from the said
survey point, the said tract being 200.00 feet South and West 200.00 feet

Robert D. Owens

Subscribed and sworn to before me this 11th day of September, 1967.

[Seal]

LEGEND OF SYMBOLS

Navy Blue for the State of Oregon

[Seal]