DECLARATION OF CONDITIONS AND RESTRICTIONS
ON
Yamhill Co. Docket No. S-02-98

Location: SE 1/3 Section 22, T. 2 S., R. 3 W., W.M.
Lots 1 & 4, Saddle Top, Yamhill County, OR.
Tax lots: 253 22 2400 & 2900

KNOW ALL MEN BY THESE PRESENTS that William and Margaret Wilbanks
the owners of that tract of land known as lots 1 through 5 of Holly Hill
Summit, a duly recorded plat in the County of Yamhill, State of Oregon, and
do hereby certify and declare that the following reservations, conditions,
covenants, agreements and restrictions shall become and are hereby made a
part of all conveyances of property within the said plat ad these
reservations, conditions, agreements and restrictions shall become a part by
reference and to which shall apply thereupon as fully and to the same effect
as if set forth at large therein.

These restrictive covenants will run with the land and they can be
amended or terminated by the written agreement of the owners of 75
percent of the lots.

No building or structure shall be hereinafter erected, altered, or
enlarged within this subdivision except for family dwellings and accessory
buildings consisting of garages, carports, private greenhouses, swimming
pools, stables, barns and other structures incidental to residential use, save
and except temporary structures used for incidentals to construction work.

All houses constructed within the tract shall have a minimum area,
exclusive of open porches and garages, of not less than 2000 square feet.
No structure will be higher than three stories above average ground level.
Views from all lots will be safe guarded to the extent reasonable possible.
See "Declaration of View Easement" and exhibits A-D.

No outdoor overhead wire or service drop for the distribution of
electrical energy shall be erected, placed or maintained. All service wires to
connect their premises and the structures built thereon to the underground
electrical TB cable and telephone utility facilities shall be underground. There
will not be a radio tower or TV antenna higher than 5' above the roofline. Any
satellite dish or antenna will be concealed with a fence or an enclosure.
Height of outside lights shall not be more than 25 feet above ground and shall have a shade or other device to direct the light to the ground. In no events shall any light be allowed to obstruct the night view from adjacent property.

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 or which shall or may detract from its value as a private residential subdivision.

Pets and farm animals may be kept on the premises. They must be contained on their owners land and they must be limited in number, maintained in clean healthy quarters and kept reasonably quiet so that they are not a nuisance to the neighbors.

No dwelling shall be occupied permanently or temporarily prior to 100 percent completion.* Any dwelling shall be fully completed within one year from start of construction (Applies to exterior only). Lap siding or better, architectural composition or better, are to be used as a minimum standard for exterior construction materials. All building plans are to be reviewed and approved by the Developer prior the start of any construction. The Developer shall have 30 days from submission to review and approved said plans or request changes. If said plans have not been reviewed in that time frame then the plans shall be considered acceptable. All barns, stables and RV sheds shall be made of acceptable pole frame construction or better, with metal or wood siding.

No structure of a temporary character, trailer, basement, tent, shack, garage, barn, mobile home, camper or other outbuildings, shall at any time be used as a residence either temporarily or permanently.

No parcel may be divided. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, ashes, or other waste.

No automobile not in immediate running condition or unused automobile will be allowed on any lot or parked in front of any lot but will be allowed if they are in a fully enclosed structure. All structures will be with similar maintenance and will be completed within one year of the start of their construction.
No trucks, trailers, autos, or similar vehicles of any nature will be permitted to park overnight on any street within the boundaries of the recorded plat of the subdivision.

Each property owner must recognize the right of any adjacent property owner to develop and maintain reasonable view access. Tree height in any view corridor shall not exceed 20 feet above the point as described in "Declaration of View Easements" and exhibits A-D. Exceptions can be made on written agreement by all adjacent property owners.

No firearm is to be fired in this subdivision. No motorcycles, trail bikes, motor bikes or any other type of motorized vehicle may be used on the roads or on the property in this subdivision except for transportation and not recreation.

ENFORCEMENT: Enforcement of these reservations, conditions, covenants, agreements and restrictions shall be by proceeding at law or in equity against any person or persons violating or attempting to violate any of the reservations, conditions, covenants, agreements and restrictions contained herein. In any such proceedings, relief may be sought to restrain violation or to recover damages or to compel compliance with the reservations, conditions, covenants, agreements and restrictions contained herein.

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 the Declarant above named has hereunto set his hand and seal this 23rd day of April, 2002.

[Signature]

______________________________
[Signature]

______________________________
STATE OF OREGON, COUNTY OF Washington) ss.
The foregoing instrument was acknowledged before me this 23rd day of April, 2002, by William H. Wilbanks and Margaret Ann Wilbanks.

Notary Public for Oregon
My Commission Expires: 6/21/02
Date: 10 April 2002

Exhibit "A"

HOLLY HILL SUMMIT - Legal Description View Basement in Lot 1

Part of Lot 1 of HOLLY HILL SUMMIT in Section 22,
Township 2 South, Range 3 West, Yamhill County, Oregon,
being more particularly described as follows:

Beginning at the northwest corner of said Lot 1;
thence North 84°53'45" East 63.17 feet along the north line
of Lot 1; thence South 45°36'18" West 88.01 feet to the
west line of Lot 1; thence South 45°36'18" West 88.01 feet to
the west line of Lot 1; thence North 00°01'46" West 55.95
feet to the point of beginning.
Date: 10 April 2002

Exhibit "B"

HOLLY HILL SUMMIT - Legal Description View Easement in Lot 3

Part of Lot 3 of HOLLY HILL SUMMIT in Section 22, Township 2 South, Range 3 West, Yamhill County, Oregon, being more particularly described as follows:

Beginning at the southeast corner of said Lot 3; North 00°01'46" West 55.95 feet along the east line of Lot 3; thence South 45°36'18" West 88.01 feet to the south line of Lot 3; thence North 84°53'45" East 63.17 feet along said south line to the point of beginning.
Date: 10 April 2002

Exhibit "C"

HOLLY HILL SUMMIT - Legal Description View Easement in Lot 4

Part of Lot 4 of HOLLY HILL SUMMIT in Section 22, Township 2 South, Range 3 West, Yamhill County, Oregon, being more particularly described as follows:

Beginning at the southwest corner of said Lot 4; thence North 84°53'45" East 63.17 feet along the south line of Lot 4; thence North 45°36'18" East 465.92 feet to the east line of Lot 4; thence North 00°01'45" West 253.70 feet to the northeast corner of Lot 4; thence South 84°53'07" West 397.57 feet to the northwest corner of Lot 4; thence South 00°01'46" East 549.84 feet to the point of beginning.
Exhibit "D"
View Easement Map:

Location: SE 1/4 Section 22, T. 2 S., R. 3 W., W.M
Lot 1, 3 & 4 of HOLLY HILL SUMMIT
Yamhill County, OR
Tax Lot: 2322 - 2401, 2400, 2402
Date: 10 April 2002

Scale: 1" = 100'

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