DECLARATION OF PROTECTIVE COVENANTS
RESTRICTIONS APPLICABLE TO OAK HOLLOW SUBDIVISION
YAMHILL COUNTY, OREGON
Dated May 12, 1981

WITNESSETH:

The declarations are adopted in the best interest of all present and future owners of real property in Oak Hollow.

I. ARCHITECTURAL CONTROL:

Oak Hollow is a unique and distinctive development. The homes are to be of quality and character, unique in itself and its relation to the site and to surrounding homes.

Requirements for architectural control are provided here so as to set guidelines on this objective.

1. All homes within Oak Hollow shall have written approval of the Architectural Control Committee prior to any construction, excavation or site clearing.

2. Prior to start of construction, contractor must submit in a designated format to the Architectural Control Committee for written approval of the following:
   a. SITE PLAN - indicating location of the improvements, setbacks, city sidewalk locations (where required), location of all trees over 6" in diameter within 10 feet of the improvements.
   b. DRAINAGE PLAN - location of rain drains and surface drainage plan for the lot.
   c. FLOOR PLANS OF HOME - indicating room relationships, sizes and features.
   d. EXTERIOR ELEVATION OF HOME - that identifies siding materials and color, roofing materials, height of home from the highest point on foundation to highest point on roof, and exterior flat work and/or decking.

3. All requests for approval to be submitted in duplicate with one copy of each document to be retained by the Architectural Control Committee.

II. STRUCTURES:

No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out-building shall be used on any lot at any time as a residence, either temporarily or permanently.
III. SIGNS:

No signs of any kind shall be displayed to the public view on any lot or property except:

1. Professional sign of not larger than 18" X 24" advertising the property for sale or rent. This does not apply to construction and sales period.

2. Oak Hollow entry signs.

3. Private Drive signs for entries and exits that serve more than one dwelling and are not public streets.

IV. MAILBOX AND PAPER DELIVERY:

The location, color, size, design, lettering and all other particulars of mail or paper delivery boxes shall be subject to approval of the Architectural Control Committee.

V. CONSTRUCTION PERIOD:

All residences shall be completed within a one-year period of time from the commencement of building. No person(s) shall occupy a residence during the construction period. All builders will be responsible to keep the lots clear of excess waste materials and the streets clean of mud, debris, or materials.

VI. LANDSCAPING:

All yards between front fence and curb must be landscaped in a manner conforming to master plan on file with the City Planner, City of Newberg, at the time of Construction.

VII. IMPROVEMENTS:

It shall be the duty of the property owner or occupant of any building site to improve and maintain in proper condition the area between the property line of said building site and the nearest curb or improved street.

VIII. FENCES AND HEDGES:

No fence, hedge or wall shall be erected, placed or permitted to remain on any lot in said addition without the written approval of the Architectural Control Committee. Maximum allowable height for above is six (6) feet.

IX. ANIMALS:

No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purposes and provided they are not a nuisance to neighbors and owners must abide by local ordinances.
X. TRASH AND KUBBISH:

No part of said property shall be used or maintained as a dumping ground for rubbish, trash, garbage or any other waste. No garbage, trash or other waste shall be kept or maintained on any part of said property, except in a sanitary container, which will not be permanently in view from any street. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. Yard raking, dirt and brush resulting from landscaping work shall not be dumped onto streets, open space or any other lots.

XI. TREE REMOVAL:

No trees with a diameter of six (6) inches, or more, measured at a height of five (5) feet above ground level, may be removed from those portions of any lots which lie outside the building site (including driveway) without prior written approval of the Architectural Control Committee.

XII. DURATION:

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 25 years beginning April 1, 1983 and shall be automatically extended for successive periods of ten years unless cancelled or modified by a recorded instrument signed by the majority of the then owners of the lots agreeing to change said covenants in whole or in part.

XIII. ENFORCEMENT:

Should any person violate or attempt to violate any of the provisions of these covenants, the Declarant, or any other person or persons owning any real property embraced within the plat, at its or their option shall have full power and authority to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any of the said Covenants, either to prevent the doing of such or to recover damages sustained by reason of such violation. Failure by any owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

XIV. SEVERABILITY:

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

XV. LIABILITY:

Neither the Architectural Control Committee nor any member thereof shall be liable to any owner, occupant, builder or developer for any damage loss or prejudice suffered or claimed on account of any action or failure to act of the committee or a member thereof, provided that the member has, in accordance with the actual knowledge possessed by him, acted in good faith.
XVI. **EFFECTIVE PERIOD OF CONSENT:**

    the Committee's consent to any proposed work shall automatically be revoked
    six (6) months after issuance unless construction of the work has been
    commenced or the owner has applied for and received an extension of time
    from the Architectural Control Committee.
BRUSH, GRASS, WEED CONTROL

The owner or occupant of all lots and parcels of land in the City of Newberg shall cut close to the ground and remove or destroy all brush, weeds, thistles, grass, or other rank or noxious vegetable growth growing to the height of 10 inches or more upon said lots or parcels at least twice each year; once between May 15th and June 15th; once between July 15th and September 15th. If any person, firm, corporation owning, possessing, or having the care or custody of any lot or parcel of land within the City of Newberg shall fail or neglect to remove the said brush, grass, or weeds as hereinabove required, the Fire Chief of said City shall cause to be served upon said person, firm, or corporation a written notice to remove such brush, grass, or weeds within five (5) days of the City will cause the same to be done and charge the cost thereof as a lien against the property. Such notice shall be served upon such owner or occupant if he be found upon said premises or within the City of Newberg, and in case said owner or occupant cannot be found upon said premises or within the City of Newberg after reasonable diligence and inquiry, such notice shall be posted in a conspicuous place upon said premises and a copy thereof mailed to the last known address of such owner or occupant.

If any person, firm, or corporation owning, possessing, or having care or custody of a lot or parcel of land within the City of Newberg shall fail or neglect to destroy the said brush, grass, or weeds within five (5) days of said notice, the Fire Chief may go upon such lots or parcels with such assistance as he may deem necessary and destroy and eradicate said brush, grass, or weeds in such manner as shall be most effective in his judgment.

Upon the completion of said work, the Fire Chief shall file with the Council an itemized statement of the cost thereof plus fifteen percent (15%) to cover the expense of inspection, overhead, enforcement of this Ordinance, and the service or posting of the notice hereinabove required, but the minimum charge of any lot or parcel of land shall be One Dollar ($1.00). After a reasonable opportunity to be heard in objection thereto, the Council shall then by Ordinance declare the correctness of said statement and declare the same to be a lien upon the property involved, in the manner provided for the enforcement of liens for street improvements.

Ordinance No. 1614 as passed and approved by the Council of the City of Newberg, Oregon March 5, 1971.
The attached DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS APPLICABLE TO OAK HOLLOW SUBDIVISION, YAMHILL COUNTY, OREGON.
Dated May 12, 1981, are hereby approved.

GEORGE FOX COLLEGE FOUNDATION

BY: Maurice G. Chandler
    Managing Director

BY: Donald J. Millage
    Treasurer and Managing Director

STATE OF OREGON      ss.
COUNTY OF YAMHILL

Personally appeared Maurice G. Chandler and Donald J. Millage, who, being duly sworn for himself, and not one for the other, did say that he is the Managing Director and Treasurer and Managing Director respectively of GEORGE FOX COLLEGE FOUNDATION, INC. a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

SUBSCRIBED AND SWORN TO before me this 1st day of April, 1987

VERNELLE G. CHRISTENSEN
NOTARY PUBLIC — OREGON
My Commission Expires 7-1-07

Notary Public for Oregon
My commission expires 7-1-07
AMENDED DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS
FOR
OAK HOLLOW SUBDIVISION, YAMHILL COUNTY, OREGON

Lots 1 through 56, inclusive and Tracts A, B, C, D, E and F, inclusive all in
OAK HOLLOW SUBDIVISION in the City of Newberg, Yamhill County, Oregon.

ARTICLE I

1. This is a residential subdivision and no structure shall hereafter be con-
structed on any of the lots in this subdivision other than one detached single-
family dwelling and private garage for one (1) or more cars, side by side, which
dwelling shall not exceed two stories in height, and shall contain at least 1000
square feet of living area, exclusive of a garage.

2. That no temporary or unfinished building shall be used as a residence.

3. That no poultry or livestock shall be kept in this subdivision.

4. That no noxious or offensive trade shall be carried on upon any lot, nor shall
anything be done therein which may be or become an annoyance or nuisance to the
neighborhood.

5. No inoperable vehicles will be stored or parked in front of residence for more
than 48 hours.

6. No boat, trailer, camper, motor home or other vehicle not used regularly for
transportation shall be stored in front of residences in this subdivision.

ARTICLE II

1. No building shall be located on any lot nearer to the front lot line or nearer
to the side street line than the minimum building setback lines shown on the
recorded plat.

   a) In addition to easements shown on the recorded plat, all lots shall be
subject to an easement 5 feet in width and adjacent to all rear lot lines, plus
an easement 10 feet in width and adjacent to all front lot lines for utility
purposes.

   b) For the purposes of minimum set back lines, eaves, steps and open porches
shall not be considered as a part of a building, provided, however, that this
shall not be construed to permit any portion of a building on a lot to encroach
upon another lot.

ARTICLE III

1. That the restrictions and servitudes imposed hereby shall run with the land
and shall bind the present owners, their heirs, administrators, executors and
assigns and all persons claiming through or under them, until January 1, 2007,
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.

2. 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.

Dated October 2, 1987

Curtis D. Walker  President
Pacific Empire Builders, Inc.

James A. Helton

Charlene H. Helton
STATE OF OREGON, County of Yamhill

The foregoing instrument was acknowledged before me this October 2, 1987, by Curtis D. Walker

president, and by

dr. Curtis D. Walker

secretary of

Oregon Empire Builders, Inc.
corporation, on behalf of the corporation.

Jacqueline A. Allen
Notary Public for Oregon

My commission expires: 3-16-90

STATE OF OREGON,
County of Yamhill } ss.

The foregoing instrument was acknowledged before me this: October 2, 1987, by James A. Helton and

Catherine H. Helton

Notary Public for Oregon

My commission expires: 3-16-90

Return to
Pacific Empire Builders, Inc.
1605 Portland Rd.
Newberg, OR 97132

10-6-87
DECLARATION OF DEED RESTRICTIONS

This Declaration of Deed Restriction is applicable to Oak Hollow Subdivision.

WHEREAS, Pacific Empire Builders, Inc., an Oregon Corporation, is Owner in fee simple of certain real property located in the City of Newberg, in the County of Yamhill, State of Oregon, and known as Oak Hollow Subdivision, a duly recorded plat.

WHEREAS, Pacific Empire Builders, Inc. is desirous to declare its public record its intentions to certain deed restrictions to the ownership of said property.

THEREFORE, Pacific Empire Builders, Inc., does hereby certify and declare that the following deed restrictions shall become and are hereby made a part of all conveyances of lots and tracts inclusive within the plat of Oak Hollow Subdivision recorded September 14, 1982, Cabinet "A", Slido 215 and Lot Line Adjustment Survey recorded August 10, 1987, Cabinet "A", Slde 240 of the Yamhill County records and that the following deed restrictions shall by reference become a part of any such conveyance and shall apply thereto as fully and with the same effect as if set forth at large therein.

DEED RESTRICTIONS:

a. No buildings or additions shall be constructed closer than 2.00 feet to any interior property line.

b. No buildings on separate lots shall be located closer than 10.00 feet measured from the foundation line.

c. No roof overhangs, eaves or gutters shall extend over any property line.
IN WITNESS WHEREOF, I have set my hand and seal this 21st day of AUGUST, 1967.

Curtis Walker
Curtis Walker, President

STATE OF OREGON
County of Yamhill

On this 21st day of AUGUST, 1967, personally appeared before me Curtis Walker and acknowledged the foregoing instrument to be his voluntary act and deed.

Notary Public for Oregon
My commission expires 2-2-62

[Stamp: Notary Public]

08-25-67

[Signature: Notary Public, County Clerk]
OAK HOLLOW SUBDIVISION
IN THE RICHARD EVERST DLG NO. 52,
S.E. 1/4 OF SEC. 17 T.3S., R.2W., W.M.
CITY OF NEWBERG, YAMHILL CO., ORE.

APPROVALS

CITY OF NEWBERG

MAYOR 7/14/82

W. F. WILKINS

CITY ADMINISTRATOR 7/14/82

DOUGLAS WHITE

ENGINEER 7/14/82

ANNIE PAGE

RECORDER 7/14/82

D. A. MCDONALD

PLANNING DIRECTOR 7/14/82

YAMHILL COUNTY

SHEET 2 OF 2

WYN STUCKEY ASSOC.
JULY 1980

PLAT RESTRICTIONS

ALL BENEFITS, RIGHTS AND DUTIES OF UNDIVIDED AND COMMON OWNERSHIP INCLUDING BUT NOT LIMITED TO THE USE AND MAINTENANCE OF TRACTS A, B, C, D, E, F AS DESIGNATED ON THIS PLAT, SHALL INURE TO THE OWNERS OF THOSE LOTS THAT ABUT SAID TRACTS AS INDICATED BELOW, AND SHALL FOREVER MORE REMAIN WITH THE OWNERSHIP OF SAID PLATTED LANDS.

TRACT A - LOTS 19, 20
TRACT B - LOTS 3, 4, 5
TRACT C - LOTS 61, 62, 63, 64
TRACT D - LOTS 65, 66, 67, 68
TRACT E - LOTS 43, 44
TRACT F - LOTS 47, 48, 49

ALLE LOTS WILL BE INITIALLY CONSTRUCTED AND LANDSCAPED IN ACCORDANCE WITH THE APPROVED LANDSCAPE AND DEVELOPMENT PLANS.

NEWBERG PLANNING DEPT. FILE NO. HU.1-2-B

DEDICATION


MINOLA R. DOLASH

C.R. MKE

WILL L. SENDERS

CURTIS D. WALKER

RONALD D. FOWLER

OBA FOWLER ENTERPRISES

CO-PARTNER

MICHAEL FREEDMAN MANAGER UNITED STATES NATIONAL BANK OF OREGON, AMITY BRANCH

ACKNOWLEDGEMENT

STATE OF OREGON

YAMHILL COUNTY


IN TESTIMONY WHEREOF, I HAVE HEREunto SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DATE AND YEAR LAST ABOVE WRITTEN.

Notary Public for State of Oregon

My Commission Expires 5/21/85

OAK HOLLOW

YAMHILL COUNTY

S. E. 1/4 OF SEC. 17 T. 3 S., R. 2 W., W. M.

CITY OF NEWBERG, YAMHILL CO., ORE.

NEWBERG PLANNING DEPT. FILE NO. HU. 1-2-B

T. C. WYATT

MINOLA R. DOLASH

C.R. MKE

WILL L. SENDERS

CURTIS D. WALKER

MICHAEL FREEDMAN

RONALD D. FOWLER

OBA FOWLER ENTERPRISES

CO-PARTNER

RONALD D. FOWLER

OBA FOWLER ENTERPRISES

CO-PARTNER

UNITED STATES NATIONAL BANK OF OREGON, INC., AMITY BRANCH

OAK HOLLOW SUBDIVISION

NEWBERG PLANNING DEPT. FILE NO. HU. 1-2-B