ARCHITECTURAL GUIDELINES
AND
COVENANTS, CONDITIONS AND RESTRICTIONS
RAVEN TREE

Whereas Jerome S. Rogers and
Ruth L. Rogers, hereinafter
referred to as Raventree partners,
are owners of certain real property
located in Yamhill County, in the
State of Oregon, known as Raven
Tree subdivision.

Jerome S. Rogers and Ruth L. Rogers
do hereby certify and declare
that the following restrictions,
conditions, and covenants shall
apply to lots 2 through 7 of the
Raven Tree subdivision recorded
in film volume 199505601
pure microfilm
records of Yamhill County, Oregon.
INTRODUCTION

The intent of the architectural design Raven Tree subdivision is to use a sensible level of design control resulting in a wide diversity of homes from our participating builders.

The success will depend to a great extent on the cooperation of all builders and designers.

It is intended that design controls will be exercised on all construction in the subdivision.

The issuance of architectural approval by Raven Tree Partners in no way absolves the builder from complying with all requirements, statutory or otherwise, such as approval by Yamhill County, etc.

Raven Tree Partners also reserves the right to refuse to approve any plans which it considers not to be of sufficient acceptable quality.

HOUSE STYLES (Classic and Period)

(1) Victorian, craftsman, cape cod, bungalow, traditional, tudor, country cottage, farm house, french country, european, southern country, colonial, georgian.

(2) Not Allowed:
Modern, spanish, mediterranean, octagon, A frame, chalet, log, oriental, ranch, modern contemporary, southwestern.

HOUSE TYPES

(1) Minimum areas measured on the overall plan at floor level:

Single Story 1,800 sq. ft. total
Split Level 1,800 sq. ft. total
Two Story 1,800 sq. ft. total
(1,000 main floor)

(2) All homes to include two car garages, unattached garages must be in rear yard or side yard only. To be approved by Raven Tree Partners.

STREET SCENE

In selecting house types for lots in Raven Tree, the builder must take care to introduce sufficient diversity between houses to create interest in the street scene, and yet retain some repetitive features such as the slope of the roof areas, window proportions, etc., to provide a degree of visual continuity.
ELEVATION TREATMENT

A major problem with elevation design is that there is almost too much choice in the type of materials and colors available. It is also not often recognized that the character of any house is very much affected by these.

The following basic rules of good design are suggested to minimize the conflict that can result from the use of too many colors, materials, styles, or alternatively too much monotony:

(1) Natural materials such as brick and wood are to be used whenever possible.

(2) Where a chimney forms a prominent feature of the front of the house, it must be constructed in brickwork. (Prominent means on the front of the house, or within the front half of the side elevation.) However, consideration will be given to the use of cedar as a facing where a metal fireplace is utilized.

(3) Large areas of light stucco are to be minimized. Homes using stucco as the main finish should be designed in a manner to avoid the sterile and bland appearance associated with this material.

(4) Raven Tree Partners reserve the right to reject any design or use of material which are considered unsuitable in any particular location.

PROCEDURE FOR APPROVAL

(1) Builder submits:
   a. Complete set of house plans.
   b. Materials list.
   c. Plot plan.

(2) Raven Tree Partners grades against those set by the engineers, also checks colors and house types, square footage, etc.

(3) Builder constructs units to approved grades, house types and colors.

(4) Actual construction must not begin until written approval is obtained from Raven Tree Partners and a building permit is obtained from the city of Dundee.

CONSTRUCTION DETAILS

Our goal is to provide a well-planned, well-engineered and completely serviced subdivision. To accomplish this goal, the cooperation of all lot owners, builders and sub-trades is necessary.

(1) LOT DIMENSION: The builder should locate all property corners before starting to set out his building.
(2) LOT GRADES: It is the responsibility of the builder to advise the house purchaser of the designed drainage pattern and grades and the fact that further landscaping must conform to that pattern.

Any corrective measures required as a result of the builder failing to comply with procedures and thereby causing elevations which are not compatible with adjacent lots and/or houses and are not acceptable to the city of Dundee, will become the full responsibility of the builder.

(3) LEGAL SURVEY: Stationary iron posts have been provided at all block corners, points of tangency and changes in direction. Iron bars have been located at all other corners. Any damage to the stationary iron survey posts will be charged to the owner of the equipment doing the damage. The replacement of the iron bars on the lot corner pins shall be the responsibility of the lot owner.

(4) UTILITY EASEMENTS: Utility easements are shown or described on the face of the plat. The builder should ensure that his building is sited in such a manner that no encroachment of buildings will occur on an easement.

(5) UTILITY LOCATIONS: Sanitary sewers are installed at 6 feet inside the front property line. Water meter boxes are located behind the curb. Depths and exact locations of these laterals can be obtained from improvement plans from Raven Tree Partners. Power, telephone, gas and cable availability and locations can be obtained from the surveyor.

(6) DISPOSAL OF EXCAVATED MATERIAL: Builders will be responsible for the hauling of any excess or fill material to or from the lots. It is necessary for builders to keep excavated material within the confines of the lot being built upon. This means that no excavated materials are to be allowed to spill onto the streets or onto adjacent lots. Should any spillage occur, the removal and cost of such will be the builder’s responsibility. Upon completion of house construction and landscaping, the builder shall clean any material off the street and adjacent lots.

(7) DAMAGE: Any damage caused during the construction to curbs, streets and adjacent lots or property will be the responsibility of the builder.
DECLARATION OF COVENANTS AND RESTRICTIONS

OF

RAVEN TREE

Raven Tree Subdivision, Lots 2-7. City of Dundee, Yamhill County, State of Oregon.

The following reservations, conditions, agreements, covenants and restrictions shall run with the land, shall be binding upon and ensure to the benefit of all parties hereto, their successors and assigns and all persons claiming upon them and shall be part of all transfers and conveyances to the property within such platted areas as set forth in full in such transfers and conveyances. Such reservations, conditions, agreements, covenants and restrictions shall be binding and effective for such a period of 30 years from the date hereof, and the end of which time they shall be automatically extended for successive periods from ten years unless an instrument signed by a majority of the then owners of the lots within such platted areas has been recorded, agreeing to change said covenants and restrictions in whole or part; EXCEPT, however, in the event that it appears to the advantage of this platted subdivision that these restrictions would be modified then and in that event, any modification desired may be made by affirmative vote of the instant owners of 80 percent of lots within this subdivision and evidenced by suitable instrument filed for public record; or if such event occurs during the development period such modification or waiver of non-conformity may be evidenced by special permission granted in writing by the primary developers, or their successors as developers without such vote of other owners, provided, however that such modification or waiver shall not affect the provisions of Paragraph 1. of the following:

(1) LAND USE AND BUILDING TYPE. No lot shall be re-subdivided into separate building sites. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling and private garage for not less than two cars. Garage to be compatible in design and decoration with resident constructed on such lot. No barns, pole barns, sheds, guest houses, portable buildings, with the exception of a small greenhouse, or small garden shed, allowed in back yard only not on street side of lots. To be approved by Raven Tree Partners.

(2) DWELLING SIZE. One-story dwelling structures, exclusive of open or screened porches and attached garages, shall be not less than 1,800 square feet of finished living area. Two-story dwelling structures, exclusive of open or screened porches and attached garages, shall be not less than 1,800 square feet of finished living area with a minimum of 1,000 square feet on the first floor.

(3) LANDSCAPING. The front yards of all lots and the front and street-facing side yards of corner lots shall be landscaped within 12 months after occupancy.

(4) BUILDING LOCATION. No building shall be located on any lot with respect to set-back from front, side and rear lot lines, except in conformity with the planning regulation and requirements of the municipal government having jurisdiction within the area in which this subdivision is located.
(5) COMPLETION. Construction of any dwelling shall be completed, including exterior decoration within one year from the date of the start of such construction. All lots shall, prior to the construction of improvements thereon, be kept in neat and orderly condition and free of brush, vines, weeds and the grass thereon cut and mowed at sufficient intervals to prevent creation of a nuisance or fire hazard.

(6) HOUSE CONSTRUCTION AND COLOR EXTERIOR. All dwelling plans are subject to approval of the developer. Exterior decoration shall be in keeping with the architectural style approved by the developer. Roofing material shall be wood shake, wood shingle, bar-tile, approved brands of architectural composition, or other material approved by the Architectural Control Committee. The exterior walls of the home shall be double wall constructed, or brick veneer, or L.P. Lap Siding or any other material approved by the Architectural Control Committee.

T-1-11 Siding will not be allowed. Colors of exterior wall and trim must be subdued, no loud or garish colors. To be approved by Raven Tree Partners.

Roof to be a minimum of 8-12 pitch.

(7) FENCES. No fences on any lot boundary line shall exceed six feet in height above the grade on which it is situated and providing that any fence line or planting between the minimum building setback line and the front line shall not exceed 3 1/2 feet above grade. No wire or chainlink of any type. Decorative only.

(8) EASEMENTS. Easements for the installation of utilities are reserved and shown on the official plat recorded herewith. The area included in said easements shall be maintained in as attractive and well kept condition as the remainder of the lot.

(9) NUISANCE AND MAINTENANCE. No noxious or offensive activity shall be carried on upon and allot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. Yards, grounds, and buildings shall be kept and maintained in a neat and sightly fashion at all times. No parking or dismantling of inoperable vehicles shall be permitted on any lot. No trailers shall be parked in the public street areas, nor shall any trucks, campers, trailers, boats, or inoperable vehicles be parked or permitted to remain in said public street areas.

(10) TEMPORARY STRUCTURES. No structure of a temporary character, trailer or mobile home, 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.

(11) SIGNS. No sign of any kind shall be erected, maintained or displayed to the public view on any lot, except one professional sign not larger than one square foot, one sign not larger than 18" x 24" advertising the property for sale or rent, or signs used by the developers or a builder to advertise the property during the initial sales and construction period. This restriction, however, shall not be construed to prohibit ornamental plates designating the name of the resident or the owners thereof.
(12) 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, pending collection and removal. All incinerators or other equipment for the temporary storage or disposal of such materials shall be kept in a clean and sanitary condition.

(13) EXISTING STRUCTURES. No existing structure, residential or otherwise, shall be moved onto any lot in said subdivision, nor shall any dwelling therein be occupied prior to its completion.

(14) OIL AND MINING OPERATIONS. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.

(15) LIVESTOCK AND POULTRY. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that no more than two dogs, two cats, or other usual small household pets may be kept, provided that they are not kept, bred or maintained for any commercial purposes and provided that they are not permitted to cause damage, constitute a nuisance or run at large in the neighborhood.

(16) ARCHITECTURAL CONTROL. 

(a) No building, fence, hedge, wall or other structure shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure, materials, harmony of external design with existing structures and as to location with respect to topography and finish grade elevation have been approved.

(b) The Architectural Control Committee of three (3) shall be appointed by Raven Tree Partners. A majority of the committee may designate a representative to act for it. In the event of the death or resignation of any member of the committee, a majority of the remaining members shall have the full authority to designate a successor. Neither the members of the committee, or its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. At any time after ten years from the date of recording of the subject plat and dedication, the then owners of a majority of the lots within the plan of this unit shall have the power through a duly recorded written instrument to change membership of the committee or to withdraw from the committee or restore to it any of its powers and duties.

(c) The committee's approval or disapproval as required in these covenants shall be in writing. In the event the committee or its designated representative fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with. However, dwelling size and dwelling type as set forth in items two and six will be a requirement whether plans have or have not been approved.

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(17) ANTENNAS AND SATELLITE DISHES. There shall be no exterior antennas permitted within the development. Cable TV will be available to the development and interior antennas can be utilized. Satellite dishes antenna may not exceed 18 inches in diameter.

(18) INSURANCE. The owner of every building located upon any part of said property shall at all times cause the same to be insured with broad form, fire and extended coverage insurance for the full replacement value thereof, and shall upon request, cause the insurance company to furnish to the association a certificate showing such insurance to be in effect.

(19) ENFORCEMENT. The failure on the part of any of said parties affected by these restrictions, at any time to enforce any of the provisions hereof, or of any existing violation thereof, shall in no event be deemed a waiver thereof; nor shall be invalidation of any of said reservations, conditions, agreements, covenants and restrictions by judgment or court order effect any of the provisions hereof, which shall remain in full force and effect. Should any suit or action be instituted by any of said parties to enforce any of said reservations, conditions, agreements, covenants and restrictions, or to restrain the violation of any thereof, after demand for compliance therewith or for the cessation of such violation, and failure to comply with such demand, then and in either of said events and whether such suit or action be reduced to decree or not, the party instituting such suit or action shall be entitled to recover from the defendants therein such sum as the court may adjudge reasonable attorney fees in such suit or action, in addition to statutory costs and disbursements.
RAVEN TREE
PARCELS 1 & 2 OF PARTITION PLAT NO. 1991-26
CITY OF DUNDEE, YAMHILL COUNTY, OREGON

MONUMENT NOTES:
1. Found a 5/8 inch iron rod with yellow plastic cap marked "O. Cooley LS 1806", flush with ground at the Northeast corner of Lot 14, Ridgeway Estates.
2. Found a 1/2 inch iron pipe set 0.40 feet below ground surface, set in C.S. 1508, 19.00 feet south of true corner.
3. Found a 5/8 inch iron rod with yellow plastic cap marked "O. Cooley LS 1806", flush with ground, at the Southeast corner of Lot 2 of the Partition Plat No. 90-10.
4. Found a 1/2 inch iron pipe set in C.S. 3877, 0.2 feet below ground surface.
5. Found a 1/2 inch iron pipe set in C.S. 5127, 0.6 feet above ground surface, which bears South 89° 45' 00" East 0.30 feet from true corner, appears disturbed during construction.
6. Found a 1/4 inch iron pipe set as shown in Partition Plat No. 90-10, flush with ground and 0.43 feet East of this subdivision boundary.
7. Found a 5/8 inch iron rod with yellow plastic cap marked "O. Cooley LS 1806", flush with ground, at the northwesterly point of the Crescent Heights Subdivision.
8. Found a 5/8 inch iron rod with yellow plastic cap marked "O. Cooley LS 1806", flush with ground, set in C.S. 9013, 4.92 feet south of true corner.
9. Found a 5/8 inch iron rod with yellow plastic cap marked "O. Cooley LS 1806", flush with ground, set in C.S. 4742, 0.80 feet abovs south of true corner.
10. Found a 1/2 inch iron pipe set in C.S. 3772, 0.10 feet above ground.
11. Found a 1/2 inch iron pipe set in C.S. 4311, flush with ground.
12. Found a 1/2 inch iron pipe set in C.S. 4311, flush with ground.
13. Found a 5/8 inch iron rod with yellow plastic cap marked "O. Cooley LS 1806", flush with ground, set in C.S. 4311, 0.30 feet West of center.
14. Found a 5/8 inch iron rod with yellow plastic cap marked "Dundal LS 1942" set in C.S. 9013, 0.20 feet West of center.
15. Found a 5/8 inch iron rod with yellow plastic cap marked "O. Cooley LS 1806", 0.50 feet below ground at Northeast corner of Lot 14, Ridgeway Estates.
16. Found a 5/8 inch iron rod with yellow plastic cap marked "O. Cooley LS 1806", flush with pavement in center of Seventh Street.
17. Found a 5/8 inch iron rod with yellow plastic cap marked "O. Cooley LS 1806", flush with ground, at Southeast corner of Lot 14, Ridgeway Estates.
18. Found a 5/8 inch iron rod with yellow plastic cap marked "O. Cooley LS 1806", flush with ground, at Southeast corner of Lot 14, Ridgeway Estates.

NARRATIVE:
The purpose of this survey is to create lots and streets and to comply with the City of Dundee Planning Department Approval No. 5-94-2. The boundary of this subdivision was monuments in Partition Plat No. 1991-26. The boundary was determined in the following manner:

The North line was held per Partition Plat No. 1991-26 with the exception of the Northwest corner which was found to be 0.01 feet West of the East line of "RIDGEVIEW ESTATES" subdivision. The East line was held on Partition Plat No. 1991-26. The South line was held against the North line of "CAMERON HEIGHTS" subdivision and the North line of Partition Plat No. 1943. The final monuments at the Southeast corner of Lot 19 subdivision appears to have been disturbed when concrete was placed around the monument. The West line was established by holding the East line of "RIDGEVIEW ESTATES" subdivision.

Equipment used: Wild T-1610 W.D.L. 1600
Reference survey: C.S. 3431; C.S. 1529; C.S. 8129; C.S. 9570; Plat of "Cannon Heights", Plat of "Ridgeview Estates", Partition Plat No. 1990-15, Partition Plat No. 1991-26, Partition Plat No. 1943-

LEGEND:
- Denotes 5/8 inch by 10 inch iron rod with yellow plastic cap marked "Saniam Surveying Inc.", flush to ground.
- Denotes monuments found on site.
- Denotes a monument for a survey continued.

CURVE DATA:

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P.U.E. Public Utility Easement
V. Volume
P. Platte Plat
P.V. File Volume

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RAVEN TREE
PARCELS 1 & 2 OF PARTITION PLAT NO. 1991-28
IN THE N.E. 1/4 & THE S.E. 1/4 SEC. 26, T3S R 3 W, WM.
CITY OF DUNDEE, YAMHILL COUNTY, OREGON

SURVEYOR'S CERTIFICATE:
I, Leonard W. Montgomery, a registered land surveyor in the State of Oregon, do hereby certify that I have accurately surveyed and marked with proper monuments, the land herein shown as "RAVEN TREE," situated in the Northeast Quarter and the Southeast Quarter of Section 26, Township 3 South, Range 3 West of the Willamette Meridian in the City of Dundee, Yamhill County, Oregon, and being more particularly described as follows:

Beginning at the southeast corner of said tract of land described as Parcel 1, as shown on a Plat of Partition No. 1991-28, recorded in the Yamhill County Records, thence along the southeast line of said Plat 1 to the center of the westerly extension thereof South 60° 30' West, thence North 60° 30' East, thence to the point of beginning, containing 9.34 acres of land, more or less.

Leonard W. Montgomery
Registered Professional Land Surveyor
P.O. Box 12841
Tualatin, Oregon 97096
(503) 654-2234

APPRAISALS:
Approved this 25th day of April 1995.
Approved this 26th day of April 1995.
Approved this 27th day of April 1995.
Approved this 28th day of April 1995.

ADJACENT OR NEARBY LAND:

DETERMINATION:
I, Leonard W. Montgomery, a registered land surveyor in the State of Oregon, do hereby certify that I have accurately surveyed and marked with proper monuments, the land herein shown as "RAVEN TREE," situated in the Northeast Quarter and the Southeast Quarter of Section 26, Township 3 South, Range 3 West of the Willamette Meridian in the City of Dundee, Yamhill County, Oregon, and being more particularly described as follows:

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Leonard W. Montgomery
Registered Professional Land Surveyor
P.O. Box 12841
Tualatin, Oregon 97096
(503) 654-2234

I hereby certify that this is a true and exact copy of the original subdivision plat known as "RAVEN TREE".

Leonard W. Montgomery

DECLARATION:
The undersigned, Jerome S. Rogers, a registered land surveyor in the State of Oregon, do hereby declare that the plat of Partition No. 1991-28, as recorded in the Yamhill County Records, is a true and accurate representation of the land shown thereon and that all necessary steps have been taken to ensure its accuracy.

Jerome S. Rogers
Registered Land Surveyor

Acknowledgements:
State of Oregon: S.S.
County of Yamhill: S.S.

This is to certify that on this 25th day of April 1995, before me appeared Jerome S. Rogers, an attorney and registered land surveyor, who together examined the said plat and the records of the Yamhill County, Oregon, and declared it to be a true and accurate representation of the land shown thereon.

Notary Public

A subdivision plat has been recorded in the Yamhill County Records, as follows:

Recorded in Official Records of Yamhill County, Oregon, as Plat 1991-28, recorded on ____________ day of ____________ 1995.

Instrument # 199505602

INSTRUMENT # 199505602

C.C.R.

Instrument # 199505602

SHEET 2 OF 2