DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS FOR
WEST WOODS SUBDIVISION, NEWBERG, OREGON

1. LAND USE AND BUILDING TYPE: No lot shall be used for other than residential purposes. No building other than one, single-family dwelling with attached or detached garage shall be erected on any lot. Any owner may erect a structure to house garden equipment and personal property if said structure does not detract from the residential community. Said structure must be approved by the Architectural Control Committee. The location may be required to be in an enclosed fenced area by the Architectural Control Committee while said committee is in effect. All homes must be of new stick/site built construction.

2. ANIMALS: No animals, including poultry, shall be raised or kept on any lot, except that dogs, cats or other household pets may be kept, provided they are not raised or kept for commercial purposes and are not permitted to cause damage or discomfort to neighbors.

3. FENCES: All fences shall not detract from the appearance of the dwelling house located upon the lot or detract from the appearance of the dwelling house located on adjacent lots. Fences shall not exceed six (6) feet in height. No fence shall be forward of the front building line of the house and must be of new wood material. Any variance must be approved by the Architectural Control Committee.

4. ARCHITECTURAL CONTROL: No building, structure or fence shall be erected, placed, altered, painted, or repainted on any lot until the construction, plans, specifications, colors, and a plan showing the location of the structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer than the building setback line unless similarly approved.

The Architectural Control Committee is composed of any two of the declarants. Neither members of the committee nor any designated representative shall be entitled to any compensation for services performed pursuant to this covenant. The committee's approval or disapproval as required in these covenants shall be in writing and shall be returned to applicant within 30 days of applicants written request and submittal of plans. Each building must have a minimum of a double car garage. All dwellings must be of a double wall construction, with cedar, bevel siding or the equivalent. All dwellings must have Architect Composition type roofing material with the exception of lot 1 and lot 11 which are existing homes and have composition type roofing material. When roof on lot 1 or lot 11 are replaced they shall be replaced with architectural composition type roofing material.
Lots 3, 4 and 5 will be restricted to a single level home.

The Architectural Control Committee shall remain in effect until all lots are fully developed with finished residential construction. Thereafter, the declarant shall appoint two members at large from the deeded owners. If none are available, The Architectural Control Committee shall be suspended.

5. **UTILITY EASEMENTS**: Easements for sanitary sewer, storm sewer, water, electric power, natural gas, telephone, and community access television as depicted on the recorded plat of “West Woods”, Yamhill County, Oregon are for the purpose of repair and maintenance of both public and private utilities. Reasonable access to easement areas must be provided by the owners of lots affected by these easements to public and private utility workers upon request. Permanent accessory structures shall not be built in easement areas.

6. **STREET TREES AND LANDSCAPING**: Each builder shall landscape the front yard and plant street trees as required by the governing body having jurisdiction within 9 months of the building permit issuance date. Builder shall follow proposed tree guide for West Woods Subdivision, unless granted a variance by the City of Newberg.

7. **SIDEWALKS**: Sidewalks shall be installed by the builder or owner/builder, as the case may be, prior to the occupancy of the home and simultaneous with the installation of the driveway approach, weather permitting. All sidewalk installations shall conform to governing body standards and shall conform to the existing tree planting and sidewalk plat, excepting variations applied for, approved and granted by the building department or governmental agency issuing permits.

8. **ANTENNAS**: No television antennas or antennas of any other type, nor any satellite dish may be installed such that it is visible from the front of any building except that reasonable accommodation shall be made for antennas used in the amateur radio service and regulated by the Federal Communications Commission, 47 CFR, Part 97. State and local zoning ordinances may further regulate radio antennas.

9. **PARKING**: No recreational vehicles or boats shall be stored or parked forward of the front building line or in the street right-of-way of each house for more than 72 hours. Storage for said vehicles for any period longer than 72 hours shall be behind site-obscurring fencing and shall be fenced on all sides.

10. **NUISANCES**: No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done which may be or become a nuisance or any annoyance to the neighborhood.
11. TEMPORARY STRUCTURES: No structures of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporary or permanent.

12. GARBAGE AND REFUSE DISPOSAL: No lot shall be used as a dumping ground for garbage, rubbish, or other waste. All garbage or other waste shall be kept in sanitary containers, and incinerators or other equipment for the storage or disposal of such material shall be maintained in a clean and sanitary condition.

13. ENFORCEMENT: Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of these covenants, either to restrain violation or to recover damages.

14. SEVERABILITY: Invalidation of any one of these covenants by judgment of court order shall in no way affect any of the covenants, which shall remain in full force and effect.

15. TERM: These covenants are to run with the land and shall be binding on all parties claiming under them for a period of 20 years from the date they are recorded, after which time they shall be automatically extended for successive periods of ten years.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed this 10 day of December, 1999.

[Signatures]
Young & Pawelski Homes, Inc.
Joe D. Young - President

Tola C. Young - Secretary
Young & Pawelski Homes, Inc.

Subscribed and sworn to me this 10 day of December, 1999 by Joe D. Young, President and Tola C. Young, Secretary - Young & Pawelski Homes, Inc.

[Signature]
Notary Public for the State of Oregon
My Commission expires: 5-5-2003

[Seal]
OFFICIAL SEAL
KATHLEEN NIEHUS
NOTARY PUBLIC-OREGON
COMMISSION NO. 323166
MY COMMISSION EXPIRES MAY 5, 2003
WEST WOODS
LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, CITY OF NEWBERG, YAMHILL COUNTY, OREGON.

MAY 24, 1999

NOTES

1. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL AS STIPULATED IN CITY OF NEWBERG STANDARDS 0-1-53-98.
2. LOTS 7 THROUGH 12 OF THIS PLAT ARE SUBJECT TO A PRIVATE ROAD MAINTENANCE AGREEMENT AS RECORDS IN THE DEED RECORD OF YAMHILL COUNTY, OREGON AS DOCUMENT NUMBER 2307458.
3. ALL PUBLIC UTILITIES WOULD EXIST ALONG THE ESTATE LINES AND AT THE CURB線 ON THE PUBLIC PROPERTY LINES.
4. TRACT "C" SHALL BE OBTAINED AND MAINTAINED BY THE CHEEKER NORTH FIRE DISTRICT.
5. TRACT "D" SHALL BE OBTAINED AND MAINTAINED BY THE OWNERS OF LOT 13, THEIR SUCCESSORS OR ASSIGNS.
6. TRACT "E" SHALL BE OBTAINED AND MAINTAINED BY THE OWNERS OF LOT 7 THROUGH 12, THEIR SUCCESSORS OR ASSIGNS.
10. TRACT 7 TO BE SUBJECT TO CONDITIONS, CONVENTIONS AND INSTRUCTIONS AS RECORDS IN THE DEED RECORD OF YAMHILL COUNTY, OREGON AS DOCUMENT NUMBER 1999/2269.

APPROVALS

APPROVED THIS 24TH DAY OF MAY, 1999.

BY:

CITY OF NEWBERG PLANNING & DEVELOPMENT DEPARTMENT

CITY OF NEWBERG ZONING ADMINISTRATION

YAMHILL COUNTY ZONING OFFICE

YAMHILL COUNTY COMMISSIONERS

YAMHILL COUNTY APPRAISER

YAMHILL COUNTY TAX COLLECTOR

YAMHILL COUNTY CLERK

STATE OF OREGON

COUNTY OF YAMHILL

EVERETT STEINER COUNTY CLERK

Recorded in Official Yamhill County Records, Yamhill County Clerk.

Sheet Number 10000891

Page 246

1999/06/11 9:00 AM

11:00 AM

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JOHN K. SUMMERS, P.E. 1999

DECLARATION

I, JOHNSON SUMMERS, DECLARE THAT I HAVE SEEN THE ABOVE DOCUMENT AND CERTIFY THAT IT IS CORRECT AND ACCURATE AND THAT I HAVE SEEN THE PLOTTER'S CERTIFICATE AND DECLARATION ON THE PLAT PAGE AND THAT I HAVE SEEN THE PLOTTER'S CERTIFICATE AND DECLARATION ON THE PLOT DRAWING, AND THAT I HAVE SEEN THE PLOTTER'S CERTIFICATE AND DECLARATION ON THE DRAWING SHEET.

JOHN K. SUMMERS

SURVEYOR'S CERTIFICATE

I, JOHNSON SUMMERS, DECLARE THAT I HAVE SEEN THE ABOVE DOCUMENT AND CERTIFY THAT IT IS CORRECT AND ACCURATE AND THAT I HAVE SEEN THE PLOTTER'S CERTIFICATE AND DECLARATION ON THE PLAT PAGE.

JOHN K. SUMMERS

RECEIVED: JUNE 30, 2000

COUNTY SURVEYOR

SIGNATURES

JOHN K. SUMMERS