

PROTECTIVE COVENANTS AND CONDITIONS
FOR ROLLING HORSE MEADOW SUBDIVISION
DESCHUTES COUNTY, OREGON
AS AMENDED DECEMBER 18, 1979

ARTICLE I

RESTRICTIONS & GUIDELINES FOR THE USE OF PROPERTY

SECTION 1. 'OWNER' MEANS THE RECORDED OWNER OF ANY LOT WITHIN ROLLING HORSE MEADOW SUBDIVISION OR A CONTRACT PURCHASER IF THE SELLER RETAINS LEGAL TITLE MERELY TO SECURE PERFORMANCE OF THE CONTRACT.

SECTION 2. THE FOLLOWING RESTRICTIONS ON THE USE SHALL APPLY TO EACH LOT IN THE ROLLING HORSE MEADOW SUBDIVISION (HEREINAFTER REFERRED TO AS 'THE SUBDIVISION'):

- A. EACH LOT SHALL BE USED EXCLUSIVELY FOR SINGLE FAMILY RESIDENTIAL PURPOSES.
- B. NOT MORE THAN ONE DETACHED SINGLE FAMILY DWELLING AND ONE DOUBLE GARAGE OR CARPORT SHALL BE CONSTRUCTED OR PLACED ON ANY LOT IN THE SUBDIVISION.
- C. NO LOT IN THE SUBDIVISION MAY BE DIVIDED.
- D. NO COMMERCIAL, PROFESSIONAL, NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT IN THE SUBDIVISION. NO ACTIVITY SHALL BE PERMITTED WHICH CONSTITUTES AN ANNOYANCE OR NUISANCE AND NO STAND, STORE OR OTHER COMMERCIAL ESTABLISHMENT SHALL BE CONSTRUCTED ON ANY LOT.
- E. THE CUTTING AND/OR REMOVAL OF LIVING TREES IS PROHIBITED UNLESS AUTHORIZED BY THE DEVELOPER AND/OR THE HOMEOWNERS' ASSOCIATION ESTABLISHED BY ARTICLE II OF THESE RESTRICTIONS AND GUIDELINES.
- F. ALL GARBAGE, TRASH, CUTTING, REFUSE, GARBAGE AND REFUSE CONTAINERS, FUEL TANKS, CLOTHESLINES AND OTHER SERVICE FACILITIES SHALL BE SCREENED FROM THE VIEW OF NEIGHBORING LOTS AND STREET. RUBBISH AND GARBAGE MUST BE KEPT IN SUITABLE CONTAINERS AND REMOVED FROM THE PREMISES. NO RUBBISH MAY BE BURNED, DUMPED OR BURIED ON THE PREMISES OR IN ANY AREA WITHIN THE SUBDIVISION.

- G. EACH LOT AND ITS IMPROVEMENTS SHALL BE MAINTAINED IN A CLEAN AND ATTRACTIVE CONDITION, IN GOOD REPAIR AND IN SUCH FASHION AS NOT TO CREATE A FIRE HAZARD.
- H. NO MORE THAN ONE SIGN WILL BE PERMITTED FOR EACH LOT. THE TEXT SHALL BE LIMITED TO THE OWNER'S NAME OR NAME OF RESIDENCE. THE DIMENSIONS OF THE SIGN SHALL BE THE MINIMUM REQUIRED TO PRESENT THE TEXT IN LETTERS NOT EXCEEDING FOUR INCHES IN HEIGHT.
- I. DOGS SHALL NOT BE PERMITTED TO RUN AT LARGE.
- J. THE SHOOTING OF FIREARMS WITHIN THE SUBDIVISION IS PROHIBITED.
- K. MOTORCYCLES, TRAIL BIKES, AND ALL FORMS OF OFFROAD VEHICLES SHALL BE USED ONLY FOR TRANSPORTATION ON DULY ESTABLISHED ROADS IN THE SUB-DIVISION. ALL SUCH VEHICLES SHALL BE ADEQUATELY MUFFLED AND SHALL BE OPERATED ONLY BY LICENSED DRIVERS. RECREATIONAL VEHICLES, CAMPERS, BOATS, AND THE LIKE MUST BE STORED ON OWNER'S PROPERTY EITHER IN THE GARAGE, CARPORT OR IN DRIVEWAY. SUCH VEHICLES ARE PROHIBITED FROM STREET STORAGE.

ARTICLE II

HOMEOWNERS' ASSOCIATION

SECTION 1. THERE SHALL BE ESTABLISHED A HOMEOWNERS' ASSOCIATION FOR THE SUBDIVISION TO BE NAMED THE ROLLING HORSE MEADOW HOMEOWNERS' ASSOCIATION (HEREINAFTER REFERRED TO AS 'THE ASSOCIATION').

SECTION 2. EACH OWNER OF PROPERTY IN THE SUBDIVISION SHALL, UPON BECOMING AN OWNER, BE A MEMBER OF THE ASSOCIATION. EACH LOT IN THE SUBDIVISION SHALL BE INCLUDED IN THE ASSOCIATION AND MAY NOT BE WITHDRAWN.

SECTION 3. THE ASSOCIATION SHALL HAVE THE POWER AND AUTHORITY TO LEVY ASSESSMENTS OF PROPERTY OWNERS AND TO FILE LIENS AGAINST LOTS TO ENFORCE PAYMENT OF SUCH ASSESSMENTS. EACH LOT IN THE SUBDIVISION SHALL BE SUBJECT TO ALL LIENS AND ASSESSMENTS LEVIED BY THE ASSOCIATION IN ACCORDANCE WITH ITS BYLAWS. EACH OWNER SHALL BE PERSONALLY LIABLE FOR ALL ASSESSMENTS LEVIED BY THE ASSOCIATION FOR AS LONG AS HE SHALL OWN LAND IN THE SUBDIVISION. IF AN OWNER SELLS HIS LAND, HE SHALL NO LONGER BE PERSONALLY LIABLE FOR ANY UNPAID ASSESSMENT, BUT THE LAND SHALL REMAIN SUBJECT TO THE LIEN OF THE UNPAID ASSESSMENT.

SECTION 4. THE ASSOCIATION WILL BE MADE UP OF THE INDIVIDUAL PROPERTY OWNERS AND THE DEVELOPER'S REPRESENTATIVE.

ARTICLE III

ARCHITECTURAL DESIGN CRITERIA & GUIDELINES

SECTION 1. ALL STRUCTURES MUST MAINTAIN A MINIMUM SETBACK OF TWENTY (20) FEET ON SIDE YARD PROPERTY LINES, AND THIRTY (30) FEET ON FRONT AND REAR YARDS.

SECTION 2. ALL STRUCTURES TO HAVE NATURAL WOOD SIDING. THIS EXCLUDES ANY TYPE OF PLYWOOD SIDING. MASONRY EXTERIORS WILL ALSO BE ACCEPTABLE.

SECTION 3. ALL EXTERIOR SIDING TO BE TREATED WITH A NATURAL OR BROWN-TONE PENETRATING STAIN. SINGLE OR SHAKE OIL WILL BE ACCEPTABLE.

SECTION 4. NO SPOTLIGHTS OR ANY TYPE WILL BE ALLOWED. ALL EXTERIOR LITES WILL BE SUBDUED AND DESIGNED TO POOL LIGHT VERTICALLY.

SECTION 5. ALL DRIVEWAYS ARE TO BE PAVED (CONCRETE OR ASPHALT BLACK TOP).

SECTION 6. ALL STOVE AND FIREPLACE FLUES TO BE WRAPPED BY NATURAL MATERIALS WITH SPARK ARRESTERS. NO STOVE PIPE PROJECTIONS WILL BE PERMITTED.

SECTION 7. ALL STRUCTURES MUST BE SUITABLE FOR YEAR-ROUND USE AND MUST BE PLACED UPON PERMANENT FOUNDATIONS CONSISTING OF CONCRETE, BRICK, PUMICE BLOCKS OR STONE MASONRY IN ACCORDANCE WITH STATE AND COUNTY BUILDING CODES.

SECTION 8. NO METAL ROOFING SHALL BE PERMITTED.

SECTION 9. SPARK ARRESTERS ARE TO BE INSTALLED IN ALL CHIMNEYS.

SECTION 10. ALL BUILDINGS MUST CONFORM TO ALL LAWS AND REGULATIONS OF THE STATE OF OREGON, DESCHUTES COUNTY, AND THE APPLICABLE MUNICIPALITY RELATING TO ZONING, FIRE PROTECTION, BUILDING CONSTRUCTION, WATER, SANITATION AND PUBLIC HEALTH.

SECTION 11. ALL PROPOSED BUILDING PLANS AND SPECIFICATIONS MUST BE APPROVED BY THE ARCHITECTURAL REVIEW COMMITTEE COMPOSED OF THE DEVELOPERS REPRESENTATIVE AND A MEMBER OF THE HOME OWNERS ASSOCIATION. AN APPROVED SET OF DRAWINGS WILL BE REQUIRED BY THE BUILDING DEPARTMENT BEFORE A PERMIT WILL BE ISSUED.

SECTION 12. ALL HOMES CONSTRUCTED IN ROLLING HORSE MEADOW ARE TO BE STYLED CONSISTENT IN DESIGN WITH HOMES BUILT BETWEEN THE LATE 1800'S AND 1935. THE SPECIFIC STYLE THAT THE ARCHITECTURAL CONTROL COMMITTEE WILL APPROVE WILL BE BASED ON CLASSICAL HOME STYLES PARTICULAR TO THAT ERA. THE ARCHITECTURAL CONTROL COMMITTEE WILL PROVIDE A RESOURCE FILE OF ACCEPTABLE HOME STYLES WHICH WILL BE MADE AVAILABLE TO PROPERTY OWNERS PRIOR TO INNIATING HOUSE DESIGN PLANS FOR THEIR LOT DEVELOPMENT.

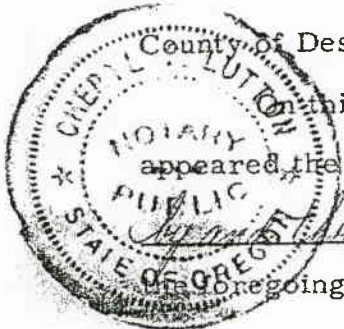
SECTION 13. ALL BLUE PRINTS ARE TO BE SUBMITTED TO THE ARCHITECTURAL COMMITTEE AS FOLLOWS:

- A. TWO COMPLETE SETS TO BE FILED WITH ARCHITECTURAL COMMITTEE 30 DAYS PRIOR TO ANTICIPATED DATE OF CONSTRUCTION.
- B. BLUE PRINTS ARE TO BE SUBMITTED WITH A COMPLETE DETAILED LANDSCAPE PLAN SHOWING PLANT AND TREE LOCATION DRAWN TO SCALE.
- C. BLUE PRINT/LANDSCAPE PLANS WILL BE REVIEWED WITHIN 14 DAYS AFTER SUBMITTAL AND WILL BE STAMPED 'APPROVED' OR 'NOT APPROVED,' DATED AND SIGNED BY THE ARCHITECTURAL CONTROL MEMBERS WITH APPROPRIATE CHANGES, CORRECTIONS OR ADDITIONAL REQUIREMENTS NOTED IN WRITING ON PRINTS.
- D. ONE COMPLETE SET OF PRINTS SHALL BE RETAINED BY THE ARCHITECTURAL COMMITTEE FOR ITS FILES REGARDLESS OF APPROVAL OR DISAPPROVAL DECISION.

APPROVED AND ADOPTED this 18th day of December, 1979.

John F. von Hurst by Donald O. Castello Grey V. Podorean by
 JOHN F. von HURST with power GREY V. PODOREAN Donald O. Castello
 of attorney with power of
 attorney attorney.

STATE OF OREGON)
) ss.
 County of Deschutes)



On this 18th day of December, 19 79, personally
 appeared the above named John F. von Hurst and Grey V. Podorean
represented through Donald O. Castello with power of attorney and acknowledged
 to be their voluntary act and deed.

Cheryl L. Lutton
 Notary Public for Oregon
 My Commission expires: 4-24-83

POWER OF ATTORNEY

VOL. 313 PAGE 992

We, JOHN F. von HURST and GREY V. PODOREAN, hereby constitute and appoint DONALD O. COSTELLO our true and lawful agent and attorney for us and in our name, place and stead, and for our use and benefit, to act on our behalf, whether individually or jointly, with authority to execute any document for the sale or purchase of real property in the State of Oregon, or pertaining thereto, to execute any document regarding Podorean Construction Company and Principal Ventures, Ltd., an Oregon corporation, and to execute any document regarding Rolling Horse Meadow Subdivision in Sisters, Deschutes County, Oregon.

Giving and granting unto my said attorney full authority to perform every act whatsoever requisite and necessary to be done in and about the premises, as I might do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney shall lawfully do or cause to be done by virtue of these presents.

DATED this 19th day of October, 1979.

*Recorded October 23, 1979
Vol 309, Page 971
Deschutes County Doc. 200015.*

Grey V. Podorean

GREY V. PODOREAN

John F. von Hurst

JOHN F. von HURST

STATE OF OREGON)
) ss.
County of Deschutes)

On this 19th day of October, 1979, personally appeared the above-named GREY V. PODOREAN and JOHN F. von HURST and acknowledged the foregoing POWER OF ATTORNEY to be their lawful act and deed.

Before Me: *Charles L. Lutton*

Notary Public for Oregon
My Commission expires: 4-24-83

17698

STATE OF OREGON

County of Deschutes

I hereby certify that the within instrument of writing was received for Record

the 28 day of Dec A.D. 19 79

at 8:00 o'clock A M., and recorded

in Book 313 on Page 988 Records

of Deeds

ROSEMARY PATTERSON

County Clerk

By Amie L. Patterson Deputy