

OCHOCO WEST PROPERTY OWNERS' ASSOCIATION

DECLARATION OF PROTECTIVE COVENANTS

Revised to June 1, 1983

Every property owner shall have a right and easement of enjoyment in and to the open area and such easement shall be appurtenant to and shall pass with the title to every lot; subject however, to the following regulations and provisions:

1. The "Corporation" means the Ochoco West Property Owners' Association, or its successors or assigns.

2. The right of the Corporation to suspend any or all privileges of anyone who violates the regulations.

3. The right of the Corporation to levy reasonable annual maintenance assessments for the use of the recreational areas and facilities to cover the costs of their operation, maintenance and replacement. This assessment, when paid, gives the Property Owner and his family (living at home) the use of the entire recreation areas of the Ranch as long as used within the restrictions of these Covenants and rules set for individual areas.

4. The right of the Corporation to limit the number to be permitted in any given area at any one time.

5. The right of the Directors of the Association to promulgate reasonable rules and regulations governing such rights of use, from time to time, in the interest of securing maximum safe usage of open areas by the property owners without unduly infringing upon the privacy or the enjoyment of the owner of any lot. Including, without being limited to, rules restricting persons under or over designated ages from using certain portions of said property during certain times and reasonable regulations and restrictions regarding vehicles, construction, property usage and building usage.

TYPES AND SIZES OF BUILDINGS

1. Building plans, including a plot plan, specifications and exterior designs will be submitted to the Association for approval prior to construction start.

2. Buildings to be of a low western style, with roof pitch of no more than 5 inches to 12 inches. Wood exteriors, overhangs, porches, etc. are suggested.

3. Main floor to have a minimum of 600 Square feet, exclusive of carports, garages and covered porches.

4. Daylight basements only on lots that allow main floor to be within 24 inches of natural ground level on at least one side.

5. NO two-story houses allowed.

6. NO "A" frame or chalet type construction allowed.

7. All buildings are to be at least 25 feet back from the front property line and at least 10 feet in from sides and back property lines.

8. Exteriors to be completed within 12 months from the construction starting date. Stained exteriors will hold color and last longer in our climate. Colors to be used should compliment the area.

9. Out buildings or garages erected on any lot or building site shall conform generally in design and exterior material to the finish of the house to which it is appurtenant.

10. The Corporation hereby reserves and further declares that upon the conveyance of any lot in Ochoco West Subdivision there is reserved the following: All the water rights in, under or flowing over said property or appurtenant thereto, or to any part thereof, including the right to develop water thereon, transport or export water therefrom.

11. There will be no additional overhead wiring allowed in the subdivision.

TRAILERS

1. Trailers allowed for not more than three (3) continuous months in any calender year.

2. NO mobile homes allowed as permanent residences. Building and trailer restrictions can be amended only by the consent of a majority of the Property Owners.

USE OF PROPERTY

1. Use of any of the Ranch Properties and/or Recreation Areas is restricted to those Property Owners who are current on the payment of their Annual Maintenance Assessment. All others will be considered Trespassers and will be treated as such.

2. No one allowed in the subdivision except property owners, Ranch and property owners guests and those on legit-

imate business.

3. Property owners and guests allowed to hike and ride horseback on all of the Ranch except the agricultural areas and the occupied portions. They are required to respect the rights of others at all times. On the grazing land, they will leave gates as they are found and leave all stock alone.

4. Property owners are allowed to collect rocks and plants for use on their lots only. Do not remove from Ranch without permission.

5. Both lakes can be used for fishing; the large lake for swimming and boating. Children under fifteen years of age will not be allowed to swim alone. No motor boats, except electric motors allowed.

6. Picnicing allowed anywhere, leave area clean and remove all waste.

7. Off-the-road vehicles and motorcycles will be allowed only in the area designated by the management; otherwise remain on the County Road only.

8. There is a speed limit of 15 miles per hour on all of the Ranch except the County road which is 25 miles per hour.

9. All garbage and refuse will be put in designated areas only.

10. No for Sale or Rent signs will be allowed in the subdivision. There will be a list of all private lots for sale or rent on the Bulletin Board at the Office. This service is available to all.

11. The owner of each lot of said tract shall keep such lot free and clear of all obnoxious weeds, waste and rubbish and do all other things necessary or desirable to keep the premises neat and in good order and it is hereby agreed that in the event of the default in the performance of this covenant, the Declarant, its successors or assigns, hereby reserves the right to enter upon the property of such owner and remove all obnoxious weeds, waste and rubbish and do all other things necessary to place said property in a neat and orderly condition in accordance with this Covenant, and the expense thereof shall become due and payable from such owner to the Declarant, its successors or assigns within five (5) days after written demand therefor. If not paid, said charges may be

4

foreclosed as a lien against the lot and the lot owner shall be responsible for costs and any reasonable attorney fees.

12. Maintenance Assessments for the operation, maintenance and replacement of equipment and recreation facilities and open areas will be set each year by the Board of Directors of the Ochoco West Property Owners' Association.

HUNTING AND FISHING

1. Under no condition will anyone be allowed to hunt on any portion of the Ranch property unless there are Emergency conditions declared by the Board of Directors. Good game and bird hunting areas and other fishing areas are readily accessible.

2. Firearms, Air guns and Bows will be used only on the target range with the exception of necessary hunting of vermin by authorized personnel.

3. Fishing by property owners and guests will be allowed on both lakes within the limits posted.

GUEST HOUSE AND FACILITIES

1. The Guest House will be used by Officers of the Corporation and other persons designated by them.

2. The Guest House will be available to Property Owners and their Guests on a reservation basis only. Reservations are to be made at least two weeks in advance and non-refundable charges be paid at that time.

3. There will be as many reservations open as there are bedrooms available for the night. Children, normally, will sleep in the Dorm.

4. House Guests will share the balance of the house, including the kitchen, bathrooms and living areas.

5. All Guests are to be fully responsible for any breakage and/or damage. They are to leave the Guest House neat and clean.

6. All Guests are to supply their own food, linens and towels.

7. Guests are, at all times, to respect the rights of others and to obey all regulations pertaining to use and occupancy of the Ranch.

8. The Guest House may be used for Ranch business at any reasonable hour.

CONTROL OF OUTSIDERS

5

1. Absolutely NO one allowed on the Ranch except Property Owners, their Guests, Corporation Guests and those on business.

ENVIRONMENTAL CONTROLS

1. Outside, open burning to be kept at a minimum and in accordance with County regulations.

2. Canopy lights over street signs may be installed at the discretion of the Corporation.

3. No outside yard lights allowed.

4. Hedges and fences are to be kept below 36" in height and in harmony with the environment.

5. All animals are to be kept within the confines of owners property, none are to run free.

6. All excessive noise is to cease by 10:30 pm. Stereos, radios, motor bikes, barking dogs, loud noises, etc.

7. There will be no exposed garbage nor refuse allowed in the subdivision at any time.

ENFORCEMENT

The Corporation shall have the right to enforce these Protective Covenants by court proceedings and all owners and occupiers of the Ochoco West subdivision and/or the Ochoco West Recreational lands expressly consent that the prevailing party in any such proceeding shall be entitled to costs including reasonable attorney fees.

The above regulations and restrictions are set up by the Corporation to make this Ranch a restful, enjoyable place for all of us. They are not designed to place undue restraint on anyone but to allow all property owners freedom within reasonable limits. Rules for the use of the Recreation Areas may be revised, as necessary, from time to time by the Corporation. Any changes necessary will be discussed at the next Annual meeting of the Property Owners. Final changes will be at the sole discretion of the Board of Directors.

MICROFILMED

STATE OF OREGON, }
COUNTY OF CROOK, } ss 69355
I CERTIFY that the within instrument of writing
was received for record on the 11th day of July
A.D. 1983 at 1:30 o'clock P.M. and recorded in
Deeds: ME# 69355 of said County.
Grace B. Rannon, County Clerk
By: Betty Black Deputy