

SOUTH RIDGE BUILDING GUIDELINES -- RESTRICTIONS

INTRODUCTION In order to promote fitting and harmonious development of SOUTH RIDGE Subdivision, Eugene, Oregon, certain principles, guidelines and procedures are outlined that shall become a part of the agreement between the developer and buyer.

GOAL The goal of the SOUTH RIDGE Guidelines is to assure the overall excellence of the area, and to perpetuate its natural and developed attraction as an area in which to build a home and enjoyably live. The developers desire to maintain, insofar as possible, the natural, wooded character of the area by requiring that all man-made structures blend into the natural background rather than stand out against it. It is not the developers' desire to infringe on individual rights of lot owners, but rather to encourage imagination in land use and structural design while protecting the land from undesirable use. The following standards are created so that the prospective lot buyers may have a guide against which to measure themselves to determine whether they are in SYMPATHY with the developers' goal for SOUTH RIDGE.

LOTS These restrictions apply to Lots 1 - 17, Block 1, of SOUTH RIDGE. Also Lots 1 - 7, Block 2, SOUTH RIDGE, a subdivision in the southeastern part of Eugene.

SIZE 1. No minimum square footage, cost or roof area has been established in the building guidelines. Rather than fix arbitrary standards, size will be reviewed by the Architectural Control Committee. The important criteria will be the compatibility of the home to its site and to its neighbors.

BLENDING WITH SURROUNDINGS 2. Rigid controls are not intended but certain guidelines are advised:

- Colors and materials: In keeping with the character of the area, "natural" colors and materials are encouraged with special emphasis on use of materials indigenous to the Northwest. It is suggested that, in general, wood should be stained rather than painted and that bright colors be limited to trim or small accent areas.
- Low pitched or flat roofs if used should be covered with gravel. Higher pitched roofs become even more important visually and should be treated carefully. Where aluminum is used, a color-anodized finish will be required.
- Entrance ways or parking areas should be designed to minimize the appearance of large unbroken expanses of blacktop or gravel.

SITING AND PLANNING 3. Fitting the structural design to the topography is a necessity. While each lot presents a unique situation, the general intent is that no unnecessary tree removal occur and that each house fit its site. Cutting and filling of hillside lots should be minimized to the extent possible and existing trees should not be damaged either by undercutting or by filling against them. Existing trees of over 6 inches in diameter measured 5 feet above adjoining grade will not be removed without the developers' approval. Landscape materials should be selected so that excessive watering is not required where it might damage trees or cause earth movement or erosion.

AREAS OF CONCERN

- Lots 5 - 9, Block 1: The homes on these lots must not excessively block views from properties north of them. Because of the steepness of the grade, great care must be exercised to avoid excessive cutting and filling. Ground-water and subsurface drainage will be critical. These lots afford good orientation for view and sun. The houses, if they are sited parallel to the contours, should be relatively low with ridges or high points of roofs generally not over elevation 890.
- Lots 1, 2, 12 - 17, Block 1: These lots are flatter and less critical than those mentioned above. Since these lots have less tree cover, location of buildings, driveways, etc., will be more critical to avoid unnecessary tree removal. Each lot must be considered individually. For instance, Lot No. 2 has trees along the property line while Lot No. 1 has a grouping of trees toward the center.
- Lots 10 and 11, Block 1: These are at the high point of the area and are more densely wooded. Houses on these lots, particularly Lot No. 11, should not be designed to dominate the development but should nestle into the trees, probably avoiding the highest point of the hill.
- Lots 1 - 7, Block 2: This area is a heavily wooded north slope with possibility of view over parts of Eugene. On these lots some thinning of trees will bring in more light and sunshine. Higher houses could be appropriate on these lots. Possibly even some tower-like structures would allow view to the south as well as to the north.
- All lot plans for lots along the cul-de-sac should be laid out, if possible, so as to provide at least two off-street parking spaces in addition to those required by the homeowner for his own use.

ARCHITECTURE COMMITTEE

5. Until all of the Owners' lots have been disposed of, the Architecture Committee shall be composed of L. W. Hiron, Sharon L. Hiron and Grant Seder, Eugene, Oregon. L. W. Hiron may designate a substitute or successor member of the Committee. A member of the Committee may designate a representative to act on his behalf with L. W. Hiron's consent.

APPROVAL OF PLANS

6. Presentation and approval of plans: The Architecture Committee will review each proposed home and site design and must approve the design before excavation, grading, tree removal or construction may be started. Review will be in two stages:

- Preliminary: At this stage a site plan will be required at adequate scale to show grades, trees and other existing features. The plan will show existing and revised contours, trees (any trees to be removed will be so noted), exact position of all buildings on lot, paving or other construction and elevations of floors and decks. General color schemes and exterior designs must also be presented.
- Final: Working drawings of all buildings, site work and general landscaping concepts will be required. At this stage all trees to be removed will be flagged on the site. Approved final drawings become the basis for construction. One set of approved drawings become the property of the developer as a record and shall be delivered to him before the start of construction.

ROLE OF THE ARCHITECTURE COMMITTEE Review will be carried out with the Architecture Committee along with the property owner with his architect, designer or builder present. No attempt is contemplated to enforce particular architectural styles, etc. Rather, the emphasis will be to assist the property owner in obtaining a design that responds to his site and respects the rights of the other homeowners. Two members of the Committee shall constitute a quorum and an affirmative vote of two members shall be required for any action.

TENURE OF THE ARCHITECTURE COMMITTEE

7. When the Owners have disposed of all of their lots, or at any earlier date chosen by L. W. Hiron, L. W. Hiron shall select three (3) lot owners to act as Owner members of the Committee. Thereafter, the Committee may adopt its own rules relating to term of office, filling of vacancies, elections and procedures. In any event, however, after L. W. Hiron has selected the three lot owners to serve as the Committee, a Committee member may be selected or removed by a majority vote of the owners of lots in the subdivision. The vote shall be determined by secret ballot at an election to be held after written notice of the time and place has been mailed to each of the lot owners in residence ten (10) days prior to the election. The election or recall may be called and required by the Committee or by an election committee composed of the owners of twenty (20) lots.

APPROVAL IN WRITING

8. Plans and specifications must be approved in writing by the Architecture Committee and a copy of such plans and specifications as finally approved deposited for permanent record with the Committee.

WITHHOLDING OF APPROVAL

9. Approval of said plans and specifications may be withheld, not only because of their noncompliance with any of the restrictions and conditions contained in this guide, but also because of the reasonable dissatisfaction of the Architecture Committee with the grading and drainage plan, the location of the structure on the building site, the color scheme, the finish, design, proportions, shape, height, style or appropriateness of the proposed improvement or alteration, the material used therein, the kind, shape or type of roof proposed to be placed thereon or because of its reasonable dissatisfaction with any matters or things which, in the reasonable judgment of the Architecture Committee would render the proposed improvement inharmonious or out of keeping with SOUTH RIDGE'S objective or the improvements erected on other residential lots in the immediate vicinity of the premises.

CHANGE OF EXTERIOR COLOR

10. In the event the Owners shall wish to change the exterior color of any improvement they shall submit to the Architecture Committee such information with respect to their proposed change as the Architecture Committee shall require and shall make such change only after approval in writing has been obtained from such Committee.

FAILURE OF ARCHITECTURE COMMITTEE TO ACT ON DWELLING PLAN

11. If at any time Owners shall have submitted to the Architecture Committee plans and specifications in accordance with the above for a dwelling house and the Architecture Committee shall have neither approved such plans and specifications within 30 days from the date of their submission nor notified the Owners of its objections within such 30-day period, then such plans and specifications shall be deemed to have been approved by the Architecture Committee. Similarly, in the event the Owners shall have filed revised plans and specifications for a dwelling house with the Architecture Committee after receiving objections from the Architecture Committee as to the plans and specifications originally filed and the Architecture Committee shall have neither approved such revised plans and specifications within 30 days from the date of their submission nor notified the

Owners of its further objections within the 30-day period, then such revised plans and specifications shall be deemed to have been approved by the Architecture Committee.

FAILURE OF 12.
ARCHITECTURE
COMMITTEE TO
ACT ON PLANS
FOR OTHER
THAN DWELLING
CONSTRUCTION

If at any time Owners shall have submitted to the Architecture Committee plans and specifications in accordance with the above which do not include the construction of a dwelling house or the information required by the above, and the Architecture Committee shall have neither approved such plans and specifications or color scheme within ten days from the date of their submission nor notified Owners of its objections within such ten-day period, then such plans and specifications or color scheme shall be deemed to have been approved by the Architecture Committee. Similarly, in the event that Owners shall have filed revised plans or specifications which do not include the construction of a dwelling house or a revised color scheme with the Architecture Committee and the Architecture Committee shall have neither approved nor disapproved such revised plans and specifications or color scheme within ten days from the date of their submission, then such revised plans and specifications shall be deemed to have been approved by the Architecture Committee.

NOTIFICA- 13.
TION OF COM-
PLETION OF
IMPROVEMENTS

Whenever Owners have completed an improvement they shall promptly notify the Architecture Committee in writing. Any member of the Architecture Committee on any weekday between the hours of 9:00 o'clock a.m. to 5:00 o'clock p.m. within 60 days following the time the Owners have so notified the Architecture Committee of the completion of an improvement may inspect such improvement for the purpose of determining whether it complies with the plans and specifications approved by the Architecture Committee. In the event that the Architecture Committee shall determine that such improvement does not comply with such plans and specifications it shall notify the Owners within such 60-day period, whereupon the Owners within such time as the Architecture Committee shall specify, not less than 30 days, however, from the date of notice, either remove such improvement or alter it so that it will comply with such plans and specifications. In the event that the Architecture Committee shall not communicate with the Owners within 60 days of the improvement, the improvement shall conclusively be deemed to be satisfactory to the Architecture Committee.

SOUTH RIDGE 14.
OFFICE

All communications to the Architecture Committee shall be delivered by hand or by mail to 3877 Vine Maple, the principal office of SOUTH RIDGE DEVELOPMENT.

USE OF
PREMISES

15. a. Owner shall use the premises solely for residential purposes and no building other than a single family dwelling house and appurtenant outbuildings, including garages for private use, shall be constructed or maintained on the Owners premises. Various outbuildings may be included but no outbuildings shall be used by persons other than the immediate family, servants or guests of the Owners. Outbuildings will be done in a complimentary style compared to the primary dwelling.

b. Except with the approval of the developers, no person shall reside upon the premises until such time as the improvement to be erected thereon in accordance with plans and specifications approved by the Architecture Committee has been completed.

c. Owners shall maintain the improvements on their lots and the grounds of such premises in a neat and attractive manner, and in particular shall keep the grass and weeds cut, the shrubbery pruned and dead trees, shrubbery and plants removed. Owner shall keep the exterior improvements on the lots in a good state of repair and appearance.

d. Garages can become messy and thus should be provided with doors or other protection from view. Cars, trailers and boats owned by the homeowner should be protected by enclosed permanent shelters or screened by permanent fences from neighbors. Parking of auxiliary vehicles, boats, trailers or campers on the street or exposed to view will be prohibited. Parking of heavy duty vehicles on the street or within view will be prohibited and overhaul of any vehicles within view of neighbors will be prohibited.

e. In keeping with an attempt to maintain exposure to the natural environment and vistas, exposed clotheslines, antennas, exterior fuel tanks and exterior air conditioning or heating apparatus will be prohibited. All electrical wiring having to do with the structure must be underground. Fences should be unobtrusive.

f. Domestic animals may be kept, but not for commercial purposes or in unreasonable numbers, as long as they are controlled to avoid their being a nuisance to other neighbors.

g. No businesses or trade may be carried out from the dwellings on these lots.

h. Owner shall at no time maintain any sign or other advertising device of any character upon the owned premises except that he may maintain one sign, not larger than 4 square feet, advertising the property for rent or for sale.

i. Shall be so designed that it does not create glare for any neighbor.

GARAGES
AND FENCES

PRESERVATION
OF AREA

ANIMALS

EXTERIOR
LIGHTING

TIME LIMIT
FOR CON-
STRUCTION

16. Owner shall not permit the exterior of any improvement to be constructed on the owned premises to remain incomplete for a period longer than one year from the date upon which construction of the improvement was commenced unless they have first obtained permission in writing from the Architecture Committee.

RESALE
OF LOT

17. If the purchaser of a lot desires to resell a lot upon which a residence has not been constructed, the purchasers shall notify the Owners, or one of them, of his desire and thereupon the Owners shall have an option to repurchase the lot at the original sale price with no allowance for interest, taxes, assessments or site improvements. The option shall be for a period of thirty (30) days after the receipt of the notice from the purchaser. The exercise of the option by the Owners shall be in writing with the payment to be made in cash after the option is exercised.

VIOLATION
OF RESTRI-
CTIONS

18. If any of the restrictions, covenants or conditions are violated, or if it appears that an attempt to violate will be made, any owner of any lot shall be entitled to prosecute any proceeding for the purpose of preventing the violation or recovering damages or requiring the correction or removal for any violation. The Committee, as a Committee, also shall have the authority to institute and prosecute such proceedings on behalf of any owner or owners of lots in the subdivision. No failure to prosecute any person for any violation or attempted violation shall be deemed a waiver of a right to enforce any such violations by the same person or other persons. The prevailing party shall be entitled to recover costs and a reasonable attorney's fee, both trial and appellate, in any such proceeding.

TRANSFER OF
RESTRICTIONS

19. These restrictions are transferable to subsequent owners of the land and dwellings and restrictions will run with the land until January 1, 1982.

AMMEND-
MENTS

20. These Guidelines may be changed by a vote of 70% of the lot owners.

Larry W. Hirons
LARRY W. HIRONS OWNER

Sharon L. Hirons
SHARON L. HIRONS OWNER

Vivian I. Dunagan
Notary Public
8/5/74
My commission expires

STATE OF OREGON,

County of

} 48.

ACKNOWLEDGMENT

BE IT REMEMBERED, That on this 1st day of August, 19 72, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named
Larry Hirons and Sharon Hirons

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Vivian I. Dunagan
Notary Public for Oregon

My Commission expires 8/5/74

11558

45604 2-L-72

State of Oregon,
County of Lane ____ss.

I, D. M. Penfold, Director of the
Department of Records and Elections,
in and for the said County, do hereby
certify that the within instrument was
received for record at

1972 AUG 1 PM 2 10 5

Reel 597 R

Lane County OFFICIAL Records.

D. M. PENFOLD, Director of the
Department of Records & Elections.
By Deept. Person
Deputy
C29-083-05

44722

Harry W. Herren
28177 Nine Maple
S. 100 Eugene 97405

7441544

CORRECTION OF DESCRIPTION
SOUTH RIDGE BUILDING GUIDELINES -- RESTRICTIONS

For clarification of description, the undersigned hereby amend that certain document entitled SOUTH RIDGE BUILDING GUIDELINES -- RESTRICTIONS, dated August 1, 1972, recorded August 1, 1972, Reel 597R, Reception No. 11558, Lane County Official Records, Lane County, Oregon.

1. The paragraph on Page 1 entitled "LOTS" is amended to read as follows:

"These restrictions shall apply to Lots 1-4, SOUTH RIDGE; Lots 5-17, Block 1, FIRST ADDITION TO SOUTH RIDGE; and Lots 1-7, Block 2, FIRST ADDITION TO SOUTH RIDGE, a subdivision in the southeastern part of Eugene.

2. Paragraph 4, entitled "AREAS OF CONCERN", is hereby amended in part to correct the descriptions set forth in subparagraphs a. through d. of said Paragraph 4 as follows:

- "4. a. Lots 5-9, Block 1, FIRST ADDITION TO SOUTH RIDGE;
- b. Lots 1 and 2, SOUTH RIDGE; and Lots 12-17, Block 1, FIRST ADDITION TO SOUTH RIDGE;
- c. Lots 10 and 11, Block 1, FIRST ADDITION TO SOUTH RIDGE.
- d. Lots 1-7, Block 2, FIRST ADDITION TO SOUTH RIDGE."

3. Except as hereby modified, the said SOUTH RIDGE BUILDING GUIDELINES -- RESTRICTIONS remain unchanged and in full force and effect.

DATED this ^{August} 20 day of ~~Aug~~, 1974.

Larry W. Hirons
Larry W. Hirons

Sharon L. Hirons
Sharon L. Hirons

STATE OF OREGON

County of Lane

Personally appeared the above named LARRY W. HIRONS and SHARON L. HIRONS and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

One Hough
Notary Public for Oregon
My Commission Expires:
My Commission Expires Feb. 10, 1977

Correction of Description

44154

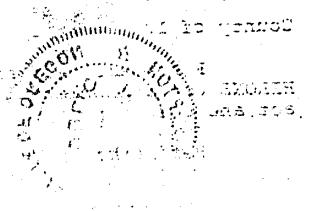
State of Oregon,
County of Lane —ss.
I. D. M. Penfold, Director of the
Department of Records and Elections,
in and for the said County, do hereby
certify that the within instrument was
received for record at

1974 SEP 26 AM 8 30

Rec'd 709 R
Lane County OFFICIAL Records.

D. M. PENFOLD, Director of the
Department of Records & Elections.
By *Charles Deakel* Deputy

C29-085-05



SEP-29-74 97106