

RESTRICTIVE AND PROTECTIVE COVENANTS ON PLAT OF BROWN COURTS ADDITION TO THE CITY OF PENDLETON. FILED _____ RECORDED IN VOL. _____ OF PLAT BOOK PAGE _____

IN ADOPTING THE ATTACHED PLAT AND DEDICATING THE STREETS THEREIN MENTIONED, THE UNITED STATES OF AMERICA ADOPTS THE FOLLOWING RESTRICTIVE AND PROTECTIVE COVENANTS AND EVERY CONVEYANCE AND TRANSFER OF SAID LAND, VOLUNTARY OR INVOLUNTARY, SHALL BE SUBJECT THERETO WHETHER OR NOT THE SAME IS SPECIFICALLY MENTIONED IN THE INSTRUMENT OF CONVEYANCE.

THESE RESTRICTIVE AND PROTECTIVE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND PERSONS CLAIMING SAID LANDS OR ANY PORTION THEREOF UNTIL JAN. 1, 1966 AT WHICH TIME THE COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS UNLESS BY INSTRUMENT DULY SIGNED, ACKNOWLEDGED, AND RECORDED BY THE THEN OWNERS OF THE MAJORITY OF THE LOTS IN THE SAID BROWN COURTS ADDITION IT SHALL BE AGREED TO CHANGE SAID COVENANTS IN WHOLE OR IN PART SUCH INSTRUMENT SHALL DESIGNATE WHICH, IF ANY, COVENANTS ARE CHANGED AND THE NEW COVENANTS ADOPTED IN LIEU THEREOF.

IF ANY PERSON VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS OR CONDITIONS HEREOF, IT SHALL BE LAWFUL FOR ANY OTHER PERSON OR PERSONS OWNING ANY REAL PROPERTY SITUATED IN SAID BROWN COURTS TO PROSECUTE ANY PROCEEDINGS AT LAW OR IN EQUITY AGAINST PERSONS SO VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT AND EITHER TO PREVENT SUCH VIOLATION OR TO RECOVER DAMAGES ON ACCOUNT THEREOF.

INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGEMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OTHER PROVISION OR COVENANT HEREIN.

(A) NO STRUCTURES SHALL BE ERECTED ON ANY LOT OTHER THAN ONE DETACHED SINGLE-FAMILY DWELLING NOT TO EXCEED TWO AND ONE-HALF STORIES IN HEIGHT NOT INCLUDING BASEMENT, AND A PRIVATE GARAGE FOR NOT MORE THAN TWO CARS AND OTHER BUILDINGS INCIDENTAL TO RESIDENTIAL USE. LOTS SHALL BE USED FOR RESIDENTIAL PURPOSES ONLY. IT IS SPECIFICALLY PROVIDED HOWEVER THAT LOT 4, BLOCK D MAY BE USED FOR BUSINESS PURPOSES.

(B) NO BUILDING SHALL BE ERECTED NEARER THAN 20 FT. TO THE FRONT LOT LINE NOR NEARER THAN 15 FT. TO ANY SIDE STREET LINE EXCEPT PRIVATE 1 STORY DETACHED GARAGES MAY BE LOCATED NEARER TO THE STREET LINE THAN THE ESTABLISHED BUILDING LINE. IN ACCORDANCE WITH THE BUILDING CODE OF THE CITY OF PENDLETON, OREGON.

(C) NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

BROWN COURTS ADDITION. TO CITY OF PENDLETON.

FORMERLY, BLOCK 1 HOUSER'S ADDITION TO PENDLETON.

BLOCKS 1, 2, 3, 4 & 5; LOTS 1, 2 & 3 BLOCK II; LOTS

1, 2, 3, 4 & 5 BLOCK 10; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 21, 22, 23, 24, 25 & 26

BLOCK 9 IRVINGTON HEIGHTS ADDITION TO PENDLETON.

ALSO THE WESTERLY 1/2 OF PARK BLOCK, IRVINGTON HEIGHTS ADDITION TO LANDS DESCRIBED IN DECLARATION OF TAKING SEE BOOK 150 PAGE 317 PENDLETON. TO 324 OF DEED RECORDS OF UMATILLA COUNTY, OREGON.

INCLUSIVE

RESTRICTIONS (CONTINUED)

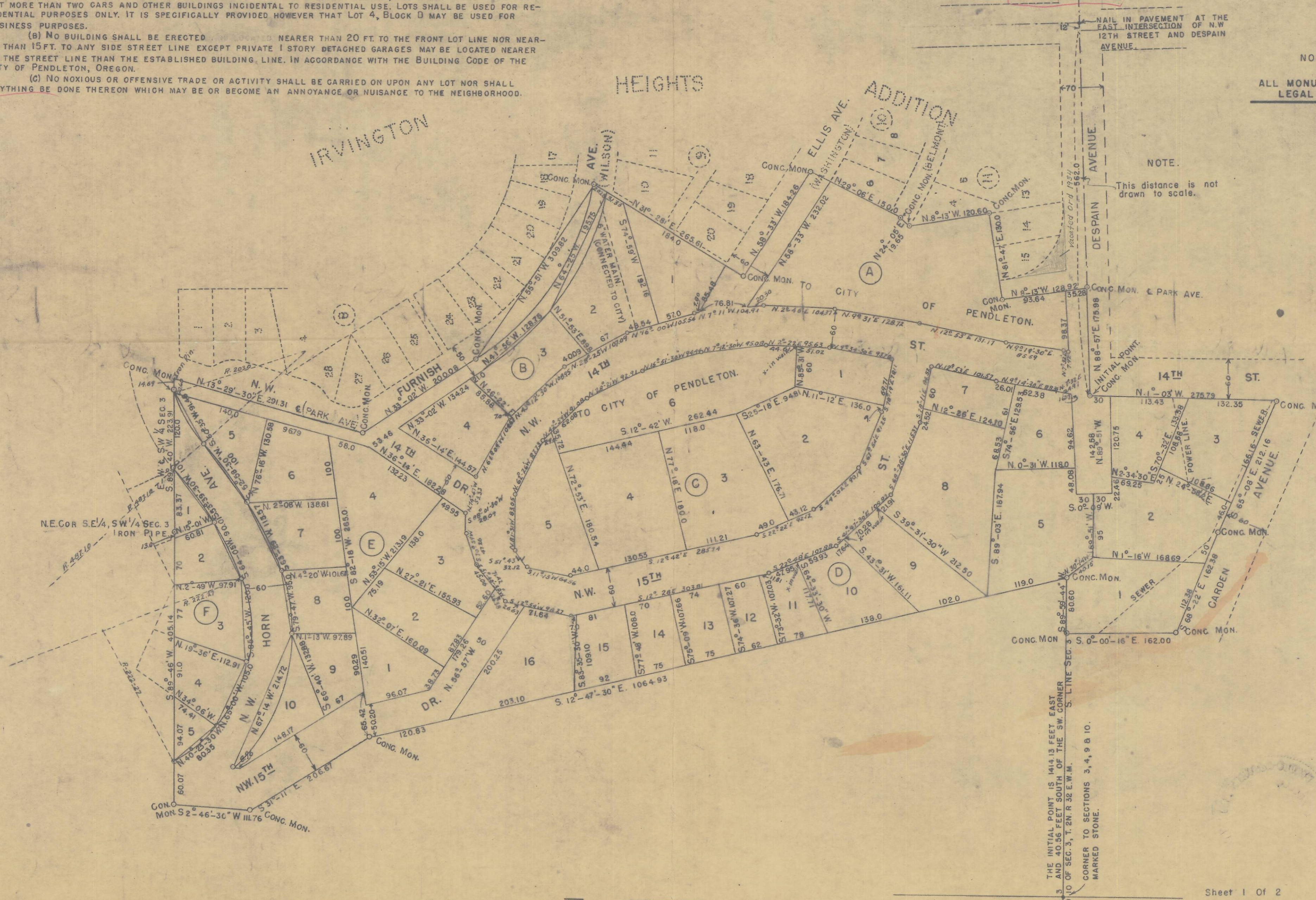
(D) NO TRAILER, BASEMENT, TENT, SHACK, GARAGE, OR OTHER OUTBUILDING ERECTED IN THE TRACT SHALL AT ANY TIME BE USED AS A RESIDENCE TEMPORARILY OR PERMANENTLY, NOR SHALL ANY STRUCTURE OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE.

(E) NO DWELLING SHALL BE ERECTED COSTING LESS THAN \$3200 SHALL BE PERMITTED ON ANY LOT IN THE TRACT. THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY OPEN PORCHES AND GARAGES, SHALL NOT BE LESS THAN 750 SQUARE FEET IN THE CASE OF A ONE-STORY STRUCTURE NOR LESS THAN 850 SQUARE FEET IN THE CASE OF A ONE AND ONE-HALF, TWO, OR TWO AND ONE-HALF STORY STRUCTURE.

(F) EASEMENT IS RESERVED BY THE DEDICATOR OVER EACH LOT FOR SEWER, WATER AND OTHER UTILITY INSTALLATION AND MAINTENANCE, AND FOR SEWER MAINTENANCE ACROSS ALL LOTS WHERE SEWERS HAVE BEEN PLACED BEFORE SALE OF LOTS BY DEDICATOR AS SHOWN BY THE PLAT HEREIN. THE RIGHT TO GRANT USE OF EASEMENTS HEREIN MENTIONED IS HEREBY VESTED IN THE UNITED STATES OF AMERICA.

(G) NO FENCE, WALL, HEDGE, OR MASS PLANTING SHALL BE PERMITTED ALONG OR NEAR THE STREET LINE OF ANY LOT, NOR SHALL ANY SUCH STRUCTURE, HEDGE, OR PLANTING EXCEEDING 4 FT. IN HEIGHT BE PERMITTED IN OR NEAR THE SIDE ON ANY LOT TO EXTEND NEARER THE STREET THE MINIMUM SETBACK LINE ON SUCH LOT, NOR, IN ANY EVENT, SHALL SUCH STRUCTURE, HEDGE, OR PLANTING EXCEEDING 8 FT. IN HEIGHT BE PERMITTED ON OR NEAR THE SIDE LINE OF ANY LOT.

(H) OIL DRILLING, OIL DEVELOPMENT OPERATIONS, OR REFINING, OR MINING OPERATIONS, EXCEPT AS TO FISSONABLE MATERIALS AS HERETOFORE SET FORTH, OF ANY KIND, OR QUARRYING SHALL NOT BE PERMITTED UPON OR IN ANY OF THE LOTS IN THE TRACT, DESCRIBED HEREIN, NOR SHALL OIL WELLS, TANKS ABOVE THE GROUND EXCEPT IN RESIDENCES AND GARAGES, TUNNELS, MINERAL EXCAVATIONS OR SHAFTS BE PERMITTED UPON OR IN ANY OF THE LOTS IN THE WITHIN SUBDIVISION.



NOTE.
ALL MONUMENTS ARE LEGAL SIZE.

NOTE.
This distance is not drawn to scale.

THE INITIAL POINT IS 1414.13 FEET EAST 4.3 AND 40.56 FEET SOUTH OF THE SW CORNER S 10 OF SEC. 3, T. 2N. R. 32 E. W. 1/4. MARKED STONE.

STATE OF OREGON
County of Umatilla
This instrument was filed for record on
APR 23 1948
at _____ o'clock P.M. and duly recorded
in Vol. _____ of _____
Page _____
By _____
Recorder of Conveyances
By _____ Deputy
File S. C. _____

STATE OF OREGON. S.S.
COUNTY OF UMATILLA.

I, ELMO E. ROBNETT, BEING FIRST DULY SWORN ON OATH SAY: THAT I HAVE CORRECTLY SURVEYED AND PLATTED THE LAND AS REPRESENTED BY THE ACCOMPANYING PLAT OF BROWN COURTS ADDITION TO THE CITY OF PENDLETON, UMATILLA COUNTY, OREGON, THE EXTERIOR BOUNDARIES OF WHICH ARE AS FOLLOWS: BEGINNING AT A CONCRETE MONUMENT AT THE INTERSECTION OF THE WEST LINE OF 14TH STREET AND THE CENTER-LINE OF DESPAIN AVENUE, WHICH POINT IS S. 88°-57' W. 562.00 FEET ALONG THE CENTER-LINE OF DESPAIN AVENUE FROM THE POINT OF EAST INTERSECTION OF 12TH ST. AND DESPAIN AVENUE, THENCE ALONG THE CENTER-LINE OF DESPAIN AVENUE N. 88°-57' E. 175.98 FEET TO THE INTERSECTION OF THE CENTER-LINE OF PARK AVENUE AS SHOWN BY THE DULY RECORDED PLAT OF IRVINGTON HEIGHTS ADDITION TO THE CITY OF PENDLETON: THENCE N. 8°-13' W. 128.92 FEET ALONG THE CENTER-LINE OF SAID PARK AVENUE TO A POINT OPPOSITE THE EXTENDED SOUTHERLY LINE OF LOT 3 BLOCK II OF SAID IRVINGTON HEIGHTS ADDITION: THENCE N. 81°-47' E. 130.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3, BLOCK II; THENCE N. 8°-13' W. 120.60 FEET ALONG THE EASTERLY LINE OF LOTS 3, 2 AND 1 BLOCK II TO THE SOUTHERLY LINE OF BELMONT AVENUE: THENCE N. 24°-05' E. 19.65 FEET TO A POINT IN BELMONT AVENUE OPPOSITE THE EXTENDED EASTERLY LINE OF LOT 5 BLOCK 10; THENCE ALONG SAID EXTENDED EASTERLY LINE OF SAID LOT 5, N. 29°-06' E. 150.00 FEET TO A POINT ON THE EASTERLY EXTENDED TANGENT OF WASHINGTON AVENUE THENCE ALONG SAID EASTERLY EXTENDED TANGENT AND ALONG SAID TANGENT N. 58°-33' W. 184.26 FEET TO A POINT OPPOSITE THE EXTENDED EASTERLY LINE OF LOT 21 BLOCK 9; THENCE ALONG THE EXTENDED EASTERLY LINE OF LOT 21 AND THE EXTENDED EASTERLY LINE OF LOT 9 BLOCK 9, N. 31°-28' E. 265.61 FEET TO THE CENTER-LINE OF WILSON AVENUE; THENCE ALONG THE CENTER-LINE OF WILSON AVENUE AROUND A 400.0 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS N. 55°-51' W. 309.82 FEET; THENCE CONTINUING ALONG THE CENTER-LINE OF WILSON AVENUE N. 33°-02' W. 200.08 FEET TO INTERSECT THE CENTER-LINE OF PARK AVENUE; THENCE ALONG THE CENTER-LINE OF PARK AVENUE AND BEYOND N. 13°-29' E. 291.31 FEET TO INTERSECT THE EAST-WEST CENTER-LINE OF THE S.W. 1/4 SECTION 3 TWP 2 N.R. 32 E.W.M. AS THE SAME IS NOW MARKED BY CONCRETE MONUMENTS; THENCE ALONG SAID EAST-WEST CENTER-LINE S. 89°-40' W. 223.91 FEET TO THE N.W. CORNER OF THE S.E. 1/4 OF S.W. 1/4 OF SAID SECTION 3 AS NOW MARKED BY AN IRON PIPE; THENCE ALONG SAID EAST-WEST CENTER-LINE S. 89°-46' W. 405.14 FEET; THENCE S. 2°-46'-30" W. 111.76 FEET; THENCE S. 31°-11' E. 206.67 FEET; THENCE S. 12°-47'-30" E. 1064.93 FEET TO A POINT ON THE SOUTH LINE OF SECTION 3; THENCE ALONG SAID SOUTH LINE N. 89°-59'-44" W. 80.60 FEET; THENCE S. 0°-00'-16" E. 162.00 FEET TO THE NORTHERLY LINE OF GARDEN AVENUE AS NOW MARKED BY CONCRETE MONUMENTS, THENCE ALONG SAID NORTHERLY LINE OF GARDEN AVENUE S. 68°-22' E. 162.38 FEET; THENCE S. 65°-08' E. 212.16 FEET TO THE WESTERLY LINE OF 14TH STREET; THENCE ALONG THE SAID WESTERLY LINE OF 14TH STREET EXTENDED, N. 1°-03' W. 275.79 FEET TO THE POINT OF BEGINNING.

FEBRUARY 24 1948

Elmo E. Robnett

SUBSCRIBED AND SWORN TO BEFORE ME THIS 24 DAY OF FEBRUARY 1948.

May N. Robnett
NOTARY PUBLIC FOR OREGON.

MY COMMISSION EXPIRES SEPT. 18 1948

ALL LOT CORNERS ARE MARKED BY IRON RODS, 1/2" BY 24" LONG, EXCEPT AS NOTED. ALL TRAVERSE POINTS BY CONCRETE MONUMENTS EXCEPT AS NOTED.

STATE OF OREGON. S.S.
COUNTY OF UMATILLA.

I, ELMO E. ROBNETT, HEREBY CERTIFY THE FOREGOING SHEET OF TRACING TO BE AN EXACT COPY OF THE PLAT OF BROWN COURTS ADDITION TO PENDLETON, UMATILLA COUNTY, OREGON, AS FILED IN THE OFFICE OF THE RECORDER OF UMATILLA COUNTY.

Elmo E. Robnett

SUBSCRIBED AND SWORN TO BEFORE THIS 24 DAY OF FEB. 1948.

May N. Robnett

NOTARY PUBLIC FOR OREGON.

MY COMMISSION EXPIRES SEPT. 18 1948.

BROWN COURTS ADDITION.

TO
CITY OF PENDLETON.

FORMERLY, BLOCK I HOUSER'S ADDITION TO PENDLETON.

BLOCKS 1,2,3,4 & 5; LOTS 1,2 & 3 BLOCK II; LOTS

1,2,3,4 & 5 BLOCK 10; LOTS 1,2,3,4,5,6,7,8,9,21,22,23,24,25 & 26

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ALSO THE WESTERLY 1/2 OF PARK BLOCK, IRVINGTON HEIGHTS ADDITION TO PENDLETON. LANDS DESCRIBED IN DECLARATION OF TAKING SEE BOOK 160 PAGE 317 TO 324 OF DEED RECORDS OF UMATILLA COUNTY, OREGON.

STATE OF OREGON. S.S.
COUNTY OF UMATILLA.

I, FRANK B. HAYES, HEREBY CERTIFY THAT I AM DULY ELECTED, QUALIFIED AND ACTING COUNTY SURVEYOR OF UMATILLA COUNTY OREGON, AND HAVE CAREFULLY EXAMINED THE ACCOMPANYING PLAT OF BROWN COURTS ADDITION TO THE CITY OF PENDLETON, UMATILLA COUNTY, OREGON, THAT IT COMPLIES WITH THE LAWS OF THE STATE OF OREGON AS TO SURVEYING AND PLATTING SUCH PLATS AND IS HEREBY APPROVED.

FEBRUARY 24 1948

Frank B. Hayes
COUNTY SURVEYOR OF UMATILLA COUNTY.
OREGON REG. C.E. NO. 197.

WE, THE UNDERSIGNED OFFICERS OF THE CITY OF PENDLETON PLANNING BOARD HEREBY APPROVE THIS PLAT OF BROWN COURTS ADDITION TO THE CITY OF PENDLETON.

CITY OF PENDLETON PLANNING BOARD.

Charles E. Lewis
PRESIDENT.

FEBRUARY 24 1948.

WE, THE UNDERSIGNED OFFICERS IN AND FOR UMATILLA COUNTY, HEREBY CERTIFY THAT WE HAVE EXAMINED THE ACCOMPANYING PLAT OF BROWN COURTS ADDITION TO THE CITY OF PENDLETON, UMATILLA COUNTY, OREGON, AND FIND THAT THE STREETS AND ALLEYS CONFORM WITH THE ADJACENT PUBLIC STREETS AND ALLEYS INSOFAR AS IS PRACTICABLE: THAT THE NAME IS LAWFUL: THAT THE SAID PLAT IS IN CONFORMANCE WITH THE STATUTES: THAT ALL TAXES AND ASSESSMENTS HAVE BEEN PAID, THEREFORE SAME IS APPROVED.

James H. Sturges
COUNTY JUDGE.

Wm. R. Meiners
COMMISSIONER.

All Davis
ASSESSOR.

Henry B. Biamon
COMMISSIONER.

FEBRUARY 24 1948.

APPROVAL BY THE CITY ENGINEER, CITY OF PENDLETON.

FEBRUARY 24 1948.

Oren King
CITY ENGINEER.

STATE OF OREGON. S.S.
COUNTY OF UMATILLA.

I, MRS. E.B. GASTEEL, COUNTY CLERK OF UMATILLA COUNTY, DO HEREBY CERTIFY THE FOREGOING SHEET OF TRACING TO BE AN EXACT COPY OF THE PLAT AND THE LETTERING THEREON OF BROWN COURTS ADDITION TO PENDLETON, UMATILLA COUNTY, OREGON, AS FILED IN THE OFFICE OF THE RECORDER OF UMATILLA COUNTY.

Mrs. E. B. Gasteel
COUNTY CLERK OF UMATILLA COUNTY.

APRIL 23, 1948.

KNOW ALL MEN BY THESE PRESENTS: THAT WE, THE UNDERSIGNED, THE UNITED STATES OF AMERICA, OWNERS AND CLAIMANTS OF THE ABOVE DESCRIBED TRACT, DO HEREBY DECLARE AND ACKNOWLEDGE THE ACCOMPANYING PLAT TO BE THE AUTHORIZED PLAT OF BROWN COURTS ADDITION TO THE CITY OF PENDLETON, UMATILLA COUNTY, OREGON, AND WE DO GIVE, GRANT AND DEDICATE TO THE USE OF THE PUBLIC AS STREETS, ALLEYS AND PUBLIC HIGHWAYS, ALL STREETS AND ALLEYS AS SHOWN ON SAID PLAT AND OWNED BY THE UNDERSIGNED.

TO THE CITY OF PENDLETON BLOCK A, & LOT 6, BLOCK C, FOR PARK, STREET, OR RECREATION RESERVING HOWEVER FOR THE UNITED STATES OF AMERICA THE FOLLOWING PURPOSES:

LOWING TO WIT: ALL URANIUM, THORIUM, AND ALL OTHER MATERIALS DETERMINED PURSUANT TO SECTION 5(b)(1) OF THE ATOMIC ENERGY ACT OF 1946 (60 STAT. 761) TO BE PECULIARLY ESSENTIAL TO THE PRODUCTION OF FISSIONABLE MATERIAL, CONTAINED, IN WHATEVER CONCENTRATION, IN DEPOSITS IN THE LANDS COVERED BY THIS INSTRUMENT ARE HEREBY RESERVED FOR THE USE OF THE UNITED STATES, TOGETHER WITH THE RIGHT OF THE UNITED STATES THROUGH ITS AUTHORIZED AGENTS OR REPRESENTATIVES AT ANY TIME TO ENTER UPON THE LAND AND PROSPECT FOR, MINE, AND REMOVE THE SAME, MAKING JUST COMPENSATION FOR ANY DAMAGE OR INJURY OCCASIONED THEREBY. HOWEVER, SUCH LAND MAY BE USED, AND ANY RIGHTS OTHERWISE ACQUIRED BY THIS DISPOSITION MAY BE EXERCISED, AS IF NO RESERVATION OF SUCH MATERIAL HAD BEEN MADE; EXCEPT THAT, WHEN SUCH USE RESULTS IN THE EXTRACTION OF ANY SUCH MATERIAL FROM THE LAND IN QUANTITIES WHICH MAY NOT BE TRANSFERRED OR DELIVERED WITHOUT A LICENSE UNDER THE ATOMIC ENERGY ACT OF 1946, AS IT NOW EXISTS OR MAY HEREAFTER BE AMENDED, SUCH MATERIAL SHALL BE THE PROPERTY OF THE UNITED STATES ATOMIC ENERGY COMMISSION, AND THE COMMISSION MAY REQUIRE DELIVERY OF SUCH MATERIAL TO IT BY ANY POSSESSOR THEREOF AFTER SUCH MATERIAL HAS BEEN SEPARATED AS SUCH FROM THE ORES IN WHICH IT WAS CONTAINED. IF THE COMMISSION REQUIRES THE DELIVERY OF SUCH MATERIAL TO IT, IT SHALL PAY TO THE PERSON MINING OR EXTRACTING THE SAME, OR TO SUCH OTHER PERSON AS THE COMMISSION DETERMINES TO BE ENTITLED THERETO, SUCH SUMS, INCLUDING PROFITS AS THE COMMISSION DEEM FAIR AND REASONABLE FOR THE DISCOVERY, MINING, DEVELOPMENT, PRODUCTION, EXTRACTION, AND OTHER SERVICES PERFORMED WITH RESPECT TO SUCH MATERIAL PRIOR TO SUCH DELIVERY, BUT SUCH PAYMENT SHALL NOT INCLUDE ANY AMOUNT ON ACCOUNT OF THE VALUE OF SUCH MATERIAL BEFORE REMOVAL FROM ITS PLACE OF DEPOSIT IN NATURE. IF THE COMMISSION DOES NOT REQUIRE DELIVERY OF SUCH MATERIAL TO IT, THE RESERVATION HEREBY MADE SHALL BE OF NO FURTHER FORCE OR EFFECT."

UNITED STATES OF AMERICA.
ACTING BY AND THROUGH
HOUSING AND HOME FINANCE AGENCY
PUBLIC HOUSING ADMINISTRATION.

Walter Trevett
BY WALTER TREVETT,
DIRECTOR, AREA B.

FEBRUARY 27 1948

STATE OF CALIFORNIA. S.S.
COUNTY OF SAN FRANCISCO.

ON THIS 24 DAY OF FEB. 1948, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED WALTER TREVETT, DIRECTOR AREA B ACTING FOR THE UNITED STATES OF AMERICA, BY AND THROUGH THE HOUSING AND HOME FINANCE AGENCY OF THE PUBLIC HOUSING ADMINISTRATION, PERSONALLY KNOWN TO ME TO BE THE IDENTICAL PERSON DESCRIBED, AND WHO EXECUTED THE FOREGOING DEED OF DEDICATION AND ACKNOWLEDGE TO ME THAT HE EXECUTES THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES MENTIONED.

IN WITNESS THEREOF, I HAVE SET MY HAND AND AFFIXED MY SEAL DAY AND YEAR MENTIONED ABOVE.

John Meyer
NOTARY PUBLIC FOR CALIFORNIA.

MY COMMISSION EXPIRES

STATE OF OREGON
County of Umatilla. S.S.
This instrument was filed for record on
APR 23 1948
in Vol. 7 of the Public Records
Page 1
Jack O. Gasteel
Recorder of Government
Duly