

192

PB 13 Pg 74

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

OVERLOOK TERRACE

OVERLOOK TERRACE DECLARATION

I, Wayne O. Harris, being first duly sworn, depose and say: That correctly surveyed and marked with proper monuments as indicated on the accompanying Plat of "Overlook Terrace" to Pendleton, Umatilla County, Oregon, the lands indicated thereon; that the initial point of this survey is a Brass rod in concrete, said point being 566°42'24" Wa distance of 2339.79 feet, being a point located on the Westerly property line of that parcel of land known as Vista Village, from the Northeast corner of the Southeast quarter of Section 9, T. 2N., R. 32E., W.M., that the exterior boundaries of the land hereby platted are as follows:

Beginning at the above described initial point and running thence N18°18'50"E, 174.25 feet; thence N60°06'44"W, 109.21 feet; thence N44°33'01"W, 66.06 feet to a point on the Southerly right-of-way of US Highway I-84; thence along said Highway right-of-way N64°57'06"W, 407.97 feet; thence continuing along said right-of-way N81°45'45"W, 312.74 feet; thence continuing along said right-of-way N65°07'18"W, 131.82 feet; thence N79°08'13"W, 550.76 feet; thence N89°35'51"W, 434.99 feet; thence N87°32'59"W, 203.20 feet; thence N87°36'42"W, 80.15 feet to a point on the Easterly line of that particular property recorded at Reel 244 Page 640 of the Umatilla County Records; thence S01°06'03"E, 540.95 feet along said property line to a point on the Northerly right-of-way of SW 28th Drive; thence S58°08'14"E, 623.70 feet along said right-of-way; thence continuing along said right-of-way S58°15'02"E, 72.66 feet; thence continuing along said right-of-way S63°51'14"E, 532.07 feet to the Southwest corner of that parcel of land known as Vista Village; thence N65°18'03"E, 1155.99 feet along the Northwesterly line of said Vista Village, to the point of beginning.

All being in the County of Umatilla, State of Oregon

Wayne O. Harris
Registered Land Surveyor No. 346
State of Oregon

APPROVALS CITY OF PENDLETON

PLANNING COMMISSION
The accompanying Plat is approved by a resolution of the undersigned duly adopted this 23 day of October, 1995, and report of said approval, filed.

Ed Lyle Chairman
Michael A. Hyde Planning Director

SURVEYOR

I, Richard L. Vaneil, City Surveyor, do hereby certify that I have examined the accompanying Plat of "Overlook Terrace" to the City of Pendleton, Umatilla County, Oregon, that it complies with the laws of the State of Oregon with reference to the filing and recording of such Plats, and I therefore approve said Plat for the approval of the County Commissioners of Umatilla County, Oregon.

Dated this 20th day of October, 1995.
Richard L. Vaneil
City Surveyor

COUNTY OF UMATILLA

I, _____, Assessor, and I, _____, Tax Collector of Umatilla County, Oregon, do hereby certify that we have examined the tax records relative to the land covered by the accompanying Plat and that all monies for the State and County taxes and assessments that could constitute a lien on said land have been paid.

Dated this 30th day of October, 1995.
Paul Chalness County Assessor
Tracie Hill Deputy
Shirley Schultz County Tax Collector

COUNTY COMMISSIONERS

This is to certify that the accompanying Plat is approved for filing and recording in the "Record of Town Plats" of Umatilla County, Oregon by the undersigned by its order dated this 30 day of October, 1995 and recorded in the County Journal

Page _____
Alan Jones Chairman
Emile M. Johnson Commissioner

COUNTY CLERK

I, _____, County Clerk of Umatilla County, Oregon, do hereby certify that the above were on the date of said order above specified and now are the duly qualified elected, sworn and acting Chairman and Commissioners of said County and that the seal affixed is the seal of my office.

Dated this _____ day of _____, 1995.

County Clerk

COUNTY SURVEYOR

I, David H. Kramlein, County Surveyor, do hereby certify that I have carefully examined the accompanying Plat of "Overlook Terrace", of Umatilla County, Oregon, that it complies with the laws of the State of Oregon with reference to the filing and recording of such Plats, and I therefore approve said Plat for the approval of the County Commissioners of Umatilla County, Oregon.

Dated this 20 day of October, 1995.
David H. Kramlein
County Surveyor

KNOW ALL MEN BY THESE PRESENTS that James D. and Evelyn E. Hatley, husband and wife, and Jerry A. Hatley (hereinafter designated Dedicators) as owners of the real property lying within the boundaries of the platted area on the attached Plat (which land is herein after referred to as "said addition"), do hereby adopt said Plat and the general plan of improvement, use and restriction of the use as shown in said Plat and as herein stated. Dedicators declare that such general plan is hereby impressed and fixed on said addition and each part thereof, and that all of Dedicators successors, representatives, and assigns shall take title subject to such general plan, whether or not the same is specifically mentioned in any deed of conveyance to any such successors, representatives, and assigns.

Dedicators do hereby reserve for themselves and for their heirs, successors and assigns the right to waive any one or more of the restrictive or protective covenants herein set forth as any or all of such covenants may apply to any of Dedicators' lots or any portion thereof without notice to and without obtaining the consent of the owners of any of the other lots in said addition, or any other person or agencies. Such waivers shall be in such written form as may be entitled to record, and may be either permanent, temporary or conditional, and may be made either at the time of conveying the property affected or at a later date. Such waivers shall not be effective until recorded in the office of the County Recorder in Umatilla County, Oregon.

(1) Except as stated in this Declaration, each of said restrictive and protective covenants shall run with the land and shall be binding upon all parties and persons claiming any interest in any lot in said addition or in any portion of any lot therein.

(2) Said restrictive and protective covenants shall be as follows:

A. That all lots or portions thereof, in said Addition, shall be used and occupied for private residential purposes only and no structure or building, or any part thereof, on any lot or lots, or part thereof in said Addition, shall be used or occupied as an apartment house, flat, lodging house, hotel, motel, store, sales yard, warehouse, hospital, institution, tavern, public house, school, church, garage, service station, place for public amusement, or as a place for manufacturing, commercial, or professional enterprise of any nature whatsoever.

B. That the main residence building placed on any lot or lots or portion thereof in said addition shall be constructed thereon and not be moved thereon from elsewhere and it shall contain not less than 1,000 square feet of floor space on its first or main floor. For the purpose of computing said minimum requirements of floor area include the first or main floor level (measurements to be taken from the outer faces of exterior walls) excluding basements, cellars, open porches, open patios, and garages which constitute an integral part of the residential structure and any area above or below the first or main story or level.

C. All manufactured homes shall be installed as required by Section 31 (A) of Ordinance No. 3250. No homes over 3 years old at time of move-in will be allowed. All homes are to have a carport or garage installed within 2 years of house installation. All homes are to be double wide or larger of a Class A Manufactured Home Classification.

D. That no main residence building or outbuilding thereof, or any part thereof, shall be located closer than 20 feet to the front line of any lot, or closer than 15 feet to any side street line of any lot, nor closer than 5 feet to any side lot line (which side lot line adjoins another lot), nor closer than 5 feet to any rear lot line, unless more than one lot be used for one building unit, in which event building on the lot line or lines separating the lots being built on, will be permitted, provided that the set backs may be varied to no closer than 15 feet to front line nor 15 feet to side street line upon approval of the City of Pendleton, Or, Planning Commission.

E. Any construction begun on any lot shall be completed within 150 days of commencement. Completion shall include, but not be limited to, complete exterior paint, all concrete work and yard area brought to finish grade.

F. That no animals, fowl, livestock or any shelter for animals, fowl or livestock shall be kept or erected on any lot or lots or portion thereof: except that the restrictions of this paragraph shall not be construed to prohibit ordinary household pets, as long as same do not constitute an annoyance or nuisance.

G. That no structure, tent trailer or living quarters, permanent or temporary shall be placed upon any lot or lots or portion thereof in said addition and used for residential purposes prior to the erection and completion of the main residence thereon or at any time thereafter.

H. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

I. Each lot shall be maintained in a good and clean condition and free of hazards to the adjacent property and to the occupants thereof.

J. That no derrick, or other structure designed for use in boring for water, oil, natural gas, or extracting minerals from the earth, shall ever be placed or maintained upon any lot or lots or portions thereof in said Addition.

K. That no rubbish or debris of any kind or character shall ever be placed or permitted to accumulate upon any lot or lots or portions thereof in said Addition in such amounts or of such kind so as to render said portion unsanitary, unsightly, offensive, or detrimental to any other lot or lots in said Addition, or to occupants thereof.

L. That no obnoxious or unsightly building or offensive trade or activity shall be carried on upon any lot or portion of lot in said addition nor shall anything be done thereon which may be or become an annoyance thereof in said addition.

M. No fence or wall shall be erected or maintained to the rear of the set back for the building at a height to exceed 6 feet. Between the front building set back line and the street lot line, a fence not to exceed 3 feet in height may be erected.

N. No pieces of equipment, furniture, appliances, scrap metal, or lumber shall be stored on any lot within said Addition, unless within a completely enclosed storage building.

O. No high-rise antenna of any type shall be placed on any lot.

(3) Easements are hereby dedicated by the dedicators over and across certain lots, the width and location shown upon the accompanying plat for sewer, water, electricity, light, television, gas, and telephone utilities, their installation and maintenance.

(4) We the owners do hereby give, grant and dedicate all those strips of land as shown on the accompanying map as streets, walkways, avenues and public roads to the public to be so used as streets, walkways, roads and highways forever.

(5) Said covenants are for the benefit of each and all of the owners of any lot or lots or portion thereof in said addition and may be enforced by any one or more of them.

(6) It shall be lawful not only for the dedicator and the dedicator's successors in interest, but also the owner or owners of any lot or lots or portion thereof in said addition, at any time, to institute or prosecute at law or in equity against the person or persons violating any of the said covenants the effective.

(7) In the event of violation of any covenant contained in this declaration, actual damage to any other lot owner in said addition shall be conclusively presumed and the value of said damage shall be so presumed to be in the amount of at least ten dollars, or in such greater amount as a court or jury may properly determine.

(8) Time, and strict, prompt and punctual performance and observance of each and all of the covenants herein contained, to be kept and performed and observed by parties affected hereby, are in each and every case of the essence of this declaration.

(9) Invalidation of any of these covenants, or any part thereof, by judgment, decree or Court order shall not invalidate any other covenant.

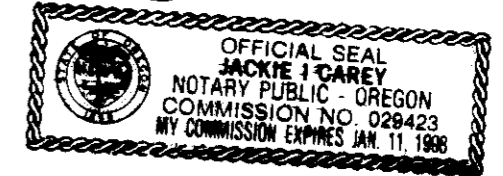
IN WITNESS WHEREOF, Dedicators have set their hands and seals this 20th day of October, 1995.

James D. Hatley Owner
Evelyn E. Hatley Owner
Jerry A. Hatley Owner

DEDICATION

Know all men by these presents that the undersigned owners of said tract of land described in the Surveyor's Certificate, do hereby establish and acknowledge the accompanying Plat as the official map and Plat of "Overlook Terrace", and hereby dedicate to the public forever the streets and utility easements designated thereon.

James D. Hatley Owner
Evelyn E. Hatley Owner
Jerry A. Hatley Owner



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

On this 30 day of October, 1995, appeared personally the above signed who are known to me to be the identical individuals who executed the Plat dedication and acknowledged to me they executed the same voluntarily.

Jackie J. Carey
Notary Public for the State of Oregon
My Commission Expires 1-11-98

OWNERS AND DEVELOPERS:

James D. and Evelyn E. Hatley
P.O. Box 458
Pilot Rock, Oregon 97868

Jerry A. Hatley
1940 S.W. Quinney Ave.
Pendleton, Oregon 97801

SURVEYOR:

Wayne Harris Company Inc.
S.E. 17th and S.E. Court Place
Pendleton, Oregon 97801

ENGINEER:

Randall Engineering
P.O. Box 899
Milton-Freewater, Oregon 97862

I CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF SHEET 1 OF 2 FOR THE OVERLOOK TERRACE SUBDIVISION PLAT.

Wayne O. Harris
Wayne O. Harris P.L.S. 348

RECEIVED BY

Umatilla County Surveyor

Date 11-95

Rec'd by KK

No. 95-2018

MO	DAY	YR	REV.	REVISION RECORD	SHT	OF

BRANDALL ENGINEERING

P.O. BOX 899, MILTON-FREEWATER, OR 97862 (503) 938-4364

APPROVALS & RESTRICTIONS
OVERLOOK TERRACE
JERRY, JAMES & EVELYN HATLEY
PENDLETON, OR

OCTOBER 17, 1995

292

PB 13 B 74

OVERLOOK TERRACE SUBDIVISION S. 1/4 SEC. 9, T2N, R32E W.M. UMATILLA COUNTY, STATE OF OREGON

SCALE: 1" = 100'

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	327.50	32.07	18.05	32.08	S 81°02'40" E	05°36'38"
C2	72.50	22.58	11.38	22.49	N 67°09'37" W	17°50'32"
C3	127.50	19.66	9.85	19.64	N 25°56'29" W	08°50'04"
C4	277.50	25.23	12.62	25.22	N 88°57'29" W	05°12'35"
C5	300.00	29.38	14.70	29.37	S 61°02'40" E	05°36'38"
C6	72.50	33.67	17.14	33.36	N 52°00'09" E	26°36'20"
C7	127.50	34.58	17.40	34.47	N 47°27'50" W	15°32'17"
C8	272.50	8.54	4.27	8.54	S 59°08'14" E	01°47'48"
C9	127.50	20.90	10.47	20.88	N 62°56'07" W	09°23'33"
C10	127.50	19.49	9.78	19.47	N 44°04'23" W	08°45'24"
C11	127.50	19.03	9.03	12.04	N 62°35'55" E	05°24'49"
C12	WAS A DUPLICATE OF C5. C12 WAS REMOVED FROM PLAT.					
C13	100.00	31.14	15.70	31.01	N 67°09'37" W	17°50'32"
C14	127.50	6.80	3.41	6.82	S 80°09'45" W	03°03'50"
C15	172.50	30.80	15.49	30.66	S 34°13'29" W	10°15'48"
C16	50.00	5.31	2.66	5.31	N 11°42'48" E	08°04'58"
C17	50.00	14.28	7.18	14.21	N 80°15'52" W	16°20'30"
C18	272.50	18.14	9.07	18.14	S 61°56'33" E	03°48'52"
C19	127.50	18.60	9.42	18.79	N 71°51'23" W	08°26'58"
C20	100.00	68.34	33.56	67.01	S 45°43'43" W	07°17'32"
C21	100.00	68.34	33.56	67.01	S 45°43'43" W	07°17'32"
C22	127.50	87.14	43.35	85.48	S 43°43'30" W	36°09'37"
C23	158.00	104.98	54.38	102.36	S 43°32'35" W	38°47'50"
C24	127.50	90.48	47.23	88.38	S 44°58'48" E	40°30'08"
C25	100.00	229.70	222.54	182.43	N 06°28'51" W	131°38'20"
C26	72.50	93.07	54.19	84.81	N 28°31'47" E	73°33'03"
C27	72.50	75.48	40.23	70.38	N 37°18'23" W	58°03'11"
C28	127.50	78.88	41.38	76.88	S 48°19'48" W	35°58'30"
C29	50.00	54.80	30.39	52.18	N 40°38'17" W	62°54'38"
C30	50.00	42.45	22.80	41.19	N 13°08'18" E	48°38'32"
C31	50.00	45.47	24.44	43.82	N 83°50'44" E	52°08'19"
C32	127.50	47.16	23.88	46.88	N 48°17'45" E	21°11'32"

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C33	100.00	48.44	23.84	48.02	N 32°00'09" E	28°38'20"
C34	172.50	54.35	27.40	54.13	N 75°19'38" W	18°03'11"
C35	200.00	63.02	31.77	62.78	N 75°19'38" W	18°03'11"
C36	227.50	71.88	36.74	71.39	N 75°19'38" W	18°03'11"
C37	277.50	87.97	44.18	87.80	S 83°23'13" W	14°02'01"
C38	250.00	190.85	100.23	188.06	S 73°48'01" W	43°41'35"
C39	222.50	87.12	33.82	86.88	S 87°00'18" W	17°17'00"
C40	222.50	102.58	32.21	101.65	S 85°09'31" W	28°24'35"
C41	277.50	71.88	36.04	71.48	S 89°00'11" W	14°48'02"
C42	277.50	48.73	23.42	48.68	S 58°48'42" W	09°38'57"
C43	222.50	42.87	21.40	42.81	N 57°28'33" E	10°59'19"
C44	277.50	101.94	51.58	101.38	N 82°28'38" E	21°02'49"
C45	222.50	80.45	40.67	80.01	N 73°18'03" E	20°43'00"
C46	250.00	380.57	238.15	344.87	S 84°28'11" E	87°13'11"
C47	277.50	112.02	58.78	111.26	N 84°33'33" E	23°07'41"
C48	277.50	52.08	28.12	52.01	S 71°12'07" E	10°45'14"
C49	222.50	85.88	43.48	85.34	S 85°17'02" E	22°08'50"
C50	222.50	129.71	68.75	127.88	S 57°31'38" E	33°24'01"
C51	277.50	80.13	40.35	78.85	S 57°33'09" E	18°32'42"
C52	277.50	40.94	20.51	40.90	S 45°03'12" E	08°27'17"
C53	222.50	45.43	22.80	45.35	N 48°40'35" W	11°41'58"
C54	277.50	101.14	51.14	100.58	N 51°08'05" W	20°52'58"
C55	250.00	811.98	691.85	470.23	S 89°02'46" W	140°51'17"
C56	222.50	82.13	41.54	81.66	N 83°06'03" E	13°08'33"
C57	277.50	51.82	25.88	51.54	N 67°02'18" E	10°39'27"
C58	277.50	58.58	28.40	58.47	N 78°24'52" W	12°05'42"
C59	222.50	79.99	40.43	78.56	N 83°58'25" W	20°35'56"
C60	277.50	49.37	24.75	49.31	N 89°33'32" W	10°11'58"
C61	277.50	49.24	24.68	49.17	S 80°15'38" W	10°09'58"
C62	222.50	98.69	50.70	98.66	S 72°53'28" W	25°40'20"
C63	277.50	39.80	19.83	39.56	S 71°05'23" W	08°10'32"
C64	277.50	74.85	37.65	74.62	S 59°16'29" W	15°27'15"
C65	277.50	254.99	137.30	248.12	S 25°13'24" W	52°38'55"
C66	222.50	115.79	59.24	114.48	S 45°08'48" W	29°48'57"
C67	222.50	110.25	58.28	109.13	S 18°02'39" W	28°23'25"
C68	72.50	94.20	58.63	88.27	N 10°11'41" W	75°00'00"
C69	100.00	130.80	78.73	121.76	N 77°11'41" W	73°00'00"
C70	127.50	74.50	38.35	73.48	N 71°58'20" W	33°28'44"
C71	127.50	57.82	28.42	57.33	S 78°17'48" W	25°58'58"
C72	50.00	93.31	67.48	80.38	N 68°13'01" E	108°53'29"
C73	50.00	40.38	21.38	39.29	S 38°11'09" E	46°61'11"
C74	50.00	53.84	28.86	51.27	S 18°47'42" W	61°41'51"
C75	50.00	63.08	38.53	58.99	S 65°47'23" W	92°17'50"
C76	72.50	78.04	43.28	74.33	N 70°31'58" E	81°40'28"
C77	127.50	41.52	20.94	41.34	N 87°57'34" E	18°39'27"
C78	127.50	41.57	21.18	41.78	S 73°16'51" E	18°51'44"
C79	100.00	85.48	43.98	84.32	S 72°38'34" E	37°31'11"
C80	100.00	70.82	38.85	69.16	N 81°08'18" W	40°27'45"
C81	100.00	37.02	18.73	36.81	N 50°18'03" W	21°12'44"
C82	127.50	55.51	28.20	55.07	N 85°00'03" W	24°56'34"
C83	72.50	47.48	24.82	48.83	S 82°56'35" E	37°31'11"
C84	172.50	78.12	38.74	77.46	S 52°18'52" W	25°56'55"
C85	200.00	128.40	65.39	124.31	S 47°11'59" W	38°12'44"
C86	227.50	102.09	51.92	101.23	S 41°54'54" W	25°42'38"
C87	227.50	41.70	20.91	41.64	S 60°31'18" W	10°30'08"

- LEGEND**
- FOUND MONUMENT AS NOTED.
 - SET 5/8" x 24" REBAR WITH 1" PLASTIC CAP - PLS 348, EXCEPT AS NOTED.
 - SET 5/8" x 30" REBAR WITH 2" BRASS CAP EXCEPT AS NOTED.
 - 10,000 LOT AREA IN SQUARE FEET.
 - INITIAL POINT, SET A BRASS PIN IN CONCRETE.
 - ▲ SET 5/8" x 30" REBAR WITH 1" PLASTIC CAP - PLS 348, EXCEPT AS NOTED.
 - () RECORD DISTANCE OR BEARING

NARRATIVE OF SURVEY:
 THIS SURVEY WAS PERFORMED AT THE REQUEST OF JERRY, JAMES AND EVELYN HATLEY, TO MONUMENT THE 36.72 ACRE SUBDIVISION SHOWN. BEARINGS ARE BASED UPON THE NORTHWESTERLY LINE OF THAT PARTICULAR PARCEL KNOWN AS "VISTA VILLAGE", RECORDED AT ROLL 256, PAGE 1556, PUBLIC RECORDS, UMATILLA COUNTY, BEING N 65°18'03" E.
 MONUMENTS WERE FOUND AS NOTED IN THE SURVEY PERFORMED FOR VISTA VILLAGE MOBILE HOME PARK, AND SURVEYS PERFORMED BY WALLULUS AND ASSOCIATES, KRUMBEIN ENGINEERING LIMITED, AND WILLIAM WELLS PROFESSIONAL LAND SURVEYOR.
 THIS SURVEY WAS PERFORMED USING A KERN DKM-2 THEODOLITE AND A LEITZ RED-2 EDM.

I CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF SHEET 2 OF 2 FOR THE OVERLOOK TERRACE SUBDIVISION PLAT.
 Wayne O. Harris P.L.S. 348

REGISTERED PROFESSIONAL LAND SURVEYOR
 WAYNE O. HARRIS
 MAY 6, 1954
 346

FOUND 1" PIPE AS FOUND BY KRUMBEIN ENGINEERING ON 11/31/77

TOTAL SUBDIVISION AREA = 36.72 ACRES

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTHWESTERLY LINE OF THAT PARTICULAR PARCEL KNOWN AS "VISTA VILLAGE" RECORDED AT ROLL 256, PAGE 1556, PUBLIC RECORDS, UMATILLA COUNTY, BEING N 65°18'03" E

RECEIVED BY
 Umatilla County Surveyor

Date 11-95
 Rec'd by KR
 No. 95-201-B

GRANDALL ENGINEERING
 P.O. BOX 899, MILTON-FREEWATER, OR 97862 (503) 938-4364

SUBDIVISION PLAT
 OVERLOOK TERRACE
 JERRY, JAMES & EVELYN HATLEY
 PENDLETON, OR

ENGINEERING RELEASE DATE OCTOBER 17, 1995