

BOOK 202 PAGE 0530

Hanley Terraces

Modification, and Amendments
Covenants, Conditions, and Restrictions

Whereas Minnie Elizabeth Hanley is the owner of a majority of lots, in the above described subdivision, and:

Whereas by reference to certain covenants, conditions, and restrictions, as recorded in Bk. 171, Pgs. 1211 thru 1214, Lincoln Co., Oregon, microfilm records, with reference to that particular Pg. 3, subsection D, entitled Building Requirements, the following is amended, and substituted herewith:

1. Height:

- a. Residential structures on Lots 1, thru 4, shall not exceed a height of twenty four (24) feet, on Lots 6 thru 9, a height of twenty (20) feet. No height limit is placed on Lot 5. Height shall be measured from the highest point at the immediate site of construction.

Recorded by
Valley Title
Order # 127072

Date 2/6/89

Minnie Elizabeth Hanley
Minnie Elizabeth Hanley

STATE OF ARIZONA } ss.
 COUNTY OF MARICOPA }
 I, *John J. [Signature]*, Notary Public, do hereby certify that the foregoing instrument was presented before me this 6th day of February, 1989, by Minnie Elizabeth Hanley, in the presence of my hand and official seal.
 My Commission Expires Nov. 23, 1990



STATE OF OREGON } ss.
 County of Lincoln }
 I, Gloria A. McEwen, County Clerk, in and for said county, do hereby certify that the within instrument was received for record, and recorded in the Book of Records of said county at Newport, Oregon.
 Book 202 Page 530
 WITNESS my hand and seal of said office attested.
[Signature] Deputy
 GLORIA A. MCEWEN, County Clerk
 Doc: 6029124 Fee: 15.00
 Recd: 2066
 03/06/1989 04:27:08PM WOT

171 1211

Recorded by Willamette
Valley Title Co.
Order # 127882City of Yachats
Yachats, Oregon

HANLEY TERRACES

Residential Zone R-1

In addition to all City of Yachats Zone R-1 Residential Restrictions and Covenants, the following restrictions and covenants apply to all homesites in Hanley Terraces.

The Restricted Residential Zone is intended to provide a quality environment for low density, urban, single-family residential use. In Hanley Terraces, the following regulations shall apply:

- I. Use permitted out-right. In the Hanley Terraces, the following uses and their accessory uses are permitted.
 - A. One single-family dwelling per tax lot on the site.
 - B. A trailer house may be used for dwelling purposes during the construction of a permitted use for which a building permit has been issued.
 1. Such construction must be commenced within ninety (90) days from the date that such trailer house is placed upon said property.
 2. Such construction must be completed and trailer house removed from the premises within one year from the date of the commencement of such construction.
 - C. Accessory buildings and uses to the extent necessary and normal in a residential neighborhood. A minimum distance of six (6) feet shall be maintained between a building designed for dwelling purposes and other buildings on the same lot. Accessory buildings are not permitted on street yards or side yards.
- II. Use restrictions. Occupational business conducted in the home.
- III. Standards.
 - A. Lot size and dimensions. The minimum lot size and dimensions in Hanley Terraces shall be a minimum of seventy-five hundred (7500) square feet when the lot is served by both a public water supply and public sewage systems.
 - B. Yards. The minimum yard requirements in the Hanley Terraces shall be as follows:
 1. Front yard shall be a minimum of twenty (20) feet.
 2. Side yard shall be a minimum of either five (5) feet or

one (1) foot for each three (3) feet of building height, whichever requirement is the greater. Side yards shall not be used for clothes lines, incinerators, permanent storage of trailers, boats or recreational vehicles. Nor shall said side yards be used for the regular or constant parking of automobiles or other vehicles.

3. The street side yards shall be a minimum of twenty (20) feet. Use restrictions: Same as for side yards.
 4. The rear yard shall be a minimum of ten (10) feet, except that, on a corner lot, it shall be a minimum of either five (5) feet or one (1) foot for each three (3) feet of building height, whichever requirement is greater. Accessory buildings shall be set back not less than five (5) feet from the rear property line.
 5. All patio structures and swimming pools shall be a minimum of five (5) feet from any side or rear property line.
 6. All embankments of each homesite must be landscaped and maintained by a low growing ground cover (i.e. ivy). All homesites must be neatly maintained.
 7. No tree or other visual impairment shall exceed a height of twenty (20) feet.
- C. Clear Vision Areas. A clear-vision area shall be maintained on the corners of all property at the intersection of two streets.
1. A clear-vision area shall consist of a triangular area, two sides of which are lot lines measured from the corner intersection of street lot lines for a distance specified in this regulation, or, where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection and so measured, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the other two sides.
 2. A clear-vision area shall contain no planting, fence, wall, structure, or temporary or permanent obstruction exceeding 2.5 feet in height, measured from the top of the curb or where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area, provided that all branches and foliage are removed to a height eight (8) feet above grade.
 3. The following measurements shall establish clear-vision areas. The minimum distance shall be fifteen (15) feet or, at intersections, including an alley, ten (10) feet, except that when the angle of intersection between streets, other than alley is less than thirty (30) degrees, the distance shall be twenty-

five (25) feet.

D. Building Requirements.

1. Height:

- a. No home in Hanley Terraces shall exceed a height of twenty (20) feet from the highest point at the immediate site of construction, with the exception of Lot 5.
- b. No accessory building shall exceed a height of fifteen (15) feet, or one (1) story, whichever is the lesser from the highest point at the immediate site of construction, with the exception of Lot 5.

2. Structure:

- a. Structure shall have a continuous foundation of concrete or comparable material.
- b. Exteriors of all structures shall be completed with new materials.
- c. Structures must conform to the Oregon State Building Code and minimum FEMA-VA Standards.
- d. Hanley Terraces is designed for permanent home construction. A mobile home will not be considered a permanent home construction regardless of type of foundation. Therefore, a mobile home will not be allowed in Hanley Terraces as a permanent home.

E. Lot Coverage. Buildings shall not occupy more than thirty (30) percent of the total lot area.

F. Off-street Parking.

1. Residential dwellings shall have no more than two permanent parking places.
 - a. Such a parking space, garage or carport shall provide for the ingress and egress of a standard size automobile.
 - b. Each parking space must be at least twenty (20) feet long and ten (10) feet wide.
2. Regular off-street parking shall not be permitted within the required yards adjacent to a street.
3. Additional vehicles, trailers and boats must be under cover and out of sight.

G. Recreational Vehicles. Recreational vehicles may be parked by an

171 1214

owner on his own land for temporary living purposes as follows:

1. The vehicle and the use on the owner's lot must be approved as conditional use by the Planning Commission.
2. Recreational vehicles may be parked by the owner for temporary living purposes for a period not to exceed 120 days per calendar year with no more than 90 consecutive days for any one stay.

In the event any of the conditions or restrictions set forth herein are broken or threatened to be broken, any one or more owners of homesites in HANLEY TERRACES shall have the right to proceed in equity to enjoin or restrain the violation, or abate the nuisance.

Date: June 7, 1968

Minnie E. Hanley
Minnie E. Hanley

ARIZONA
STATE OF ~~OREGON~~
County of Maricopa } ss.

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 4 day of June, 1968
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within
named Minnie E. Hanley

known to me to be the identical individual described in and who executed the within instrument and
acknowledged to me that she 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.

Carole Massey
Notary Public for Oregon

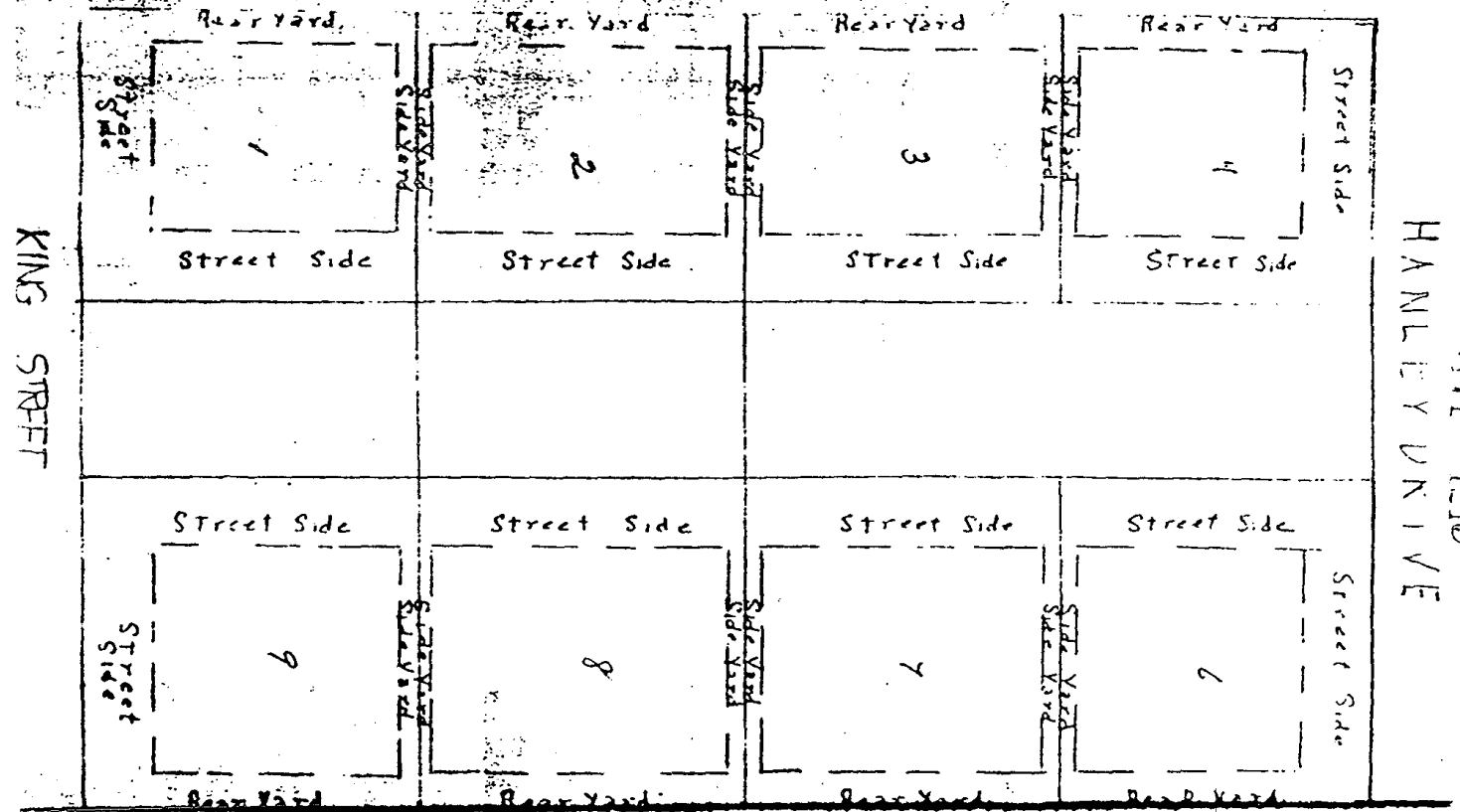
My Commission expires May 31, 1968

LEGEND: One square 1/8 inch = 5 square feet.

Front Yards: Shall be a minimum of 20 feet. Street Side Yards: Shall be a minimum of 20 feet.

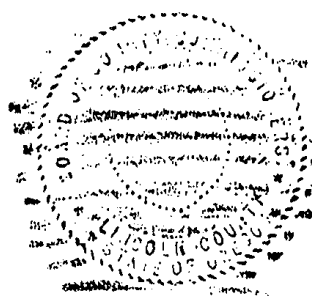
Rear Yards: Shall be a minimum of 10 feet, except on a corner lot, where it shall be a minimum of either 5 feet or 1 foot for each 3 feet of building height, whichever requirement is greater.

Side Yards: Shall be a minimum of 5 feet or 1 foot for each 3 feet of building height, whichever is greater.



NO STRUCTURE OR OBSTRUCTION OF VIEW (i.e. - trees or shrubs) SHALL EXCEED A HEIGHT OF 20 FEET FROM POINT OF ORIGIN.

171 1216



STATE OF OREGON) ss
 County of Lincoln)
 I, Gloria A. McEwen, County Clerk, in and for said county, do hereby certify
 that the within instrument was received for record, and recorded in the
 record of Deeds
 of said county of Newport, Oregon.
 Date June 6, 1986 AM 11:50
 PM
 Book 171 Page 1211
 WITNESS my hand and seal of said office affixed.
 GLORIA A. McEWEN, County Clerk
 By Debtapper Deputy
ack 21-1607