



DECLARATION OF BRAEWOOD WEST 2ND ADDITION

PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS: Arthur C. Piculell, Jr., hereinafter called the "Declarant," does hereby declare as follows:

WHEREAS, Declarant is the Owner of the real property in Lane County, Oregon, known as Lots 86 through 127 in Braewood West 2nd Addition (the "Property") the same appears in the Plat recorded in Reception No. 2005-12456 of Plat records of Lane County.

WHEREAS, Declarant desires to declare of public record his intention to create certain protective covenants, conditions and restrictions (CC&Rs) in order to effectuate a general scheme of development creating benefits and obligations for the owners of said Property and to guide development upon each lot so that it complies with the requirements of the approved Braewood Hills Third Addition P.U.D., of which the Property is a part.

NOW, THEREFORE, Declarant hereby declares that all of the Property described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions, which are for the purpose of protecting the value and desirability of the real property which shall run with the land and shall inure to the benefit of each owner thereof. These easements and CC&Rs shall be binding on all parties having any right, title or interest in the described Property or any parts thereof, their heirs, successors and assigns.

ARTICLE I

RESIDENTIAL COVENANTS

1. LAND USE AND BUILDING TYPE

No lot shall be used except for residential purposes. All structures must be located within the Discretionary Zone as shown on the approved Braewood Hills Third Addition P.U.D. plans (Braewood West 2nd Addition Individual Lot Diagram). No building shall be erected, altered, placed or permitted to remain on any lot other than one (1) single-family

dwelling not to exceed thirty (30) feet in height and a private garage for not less than two (2) cars, and one accessory residential dwelling with and an off street parking space for one (1) car provided the location of such structure is in conformity with the applicable municipal regulations, and is compatible in design and decoration with the residence constructed on such lot, and has been approved by the Architectural Control Committee. The foregoing provision shall not exclude construction of a private greenhouse, storage unit, private swimming pool or a shelter or port for the protection of such swimming pool, provided the location of such structures is in conformity with the applicable municipal regulations, and is compatible in design and decoration with the residence constructed on such lot, and has been approved by the Architectural Control Committee. Use of lots must comply with the approved Braewood Hills Third Addition P.U.D. plans filed of record with Lane County and on file at the City of Eugene.

2. DWELLING SIZE/SETBACKS

DWELLING SIZE:

The minimum area of any one-story dwelling within this subdivision shall be 2,000 square feet, and the minimum area of any two-story dwelling within this subdivision shall be 2,200 square feet. The maximum area of an accessory residential dwelling shall be eight hundred (800) square feet. These minimums and maximums are exclusive of garages and open porches. The area of the accessory residential dwelling shall not be included in the home area for the purposes of achieving the minimum area required by these CC&Rs.

SETBACKS:

Minimum setbacks from streets/property lines shall be the greater of:

- A. That which is required in the City of Eugene Land Use Code, and
- B. That which is shown on the Braewood West 2nd Addition CC&Rs Individual Lot Diagrams (distance from "buildable area" to property lines), and as prescribed within the Braewood Hills 3rd Addition Planned Unit Development Approval.

Notwithstanding the above, the minimum front yard setback for Lots 96, 97, 98, 99 and 103 shall be the greater of a) ten (10) feet for garages with side entry (18 feet when garage faces the street) or b) the setback required by Discretionary Zone.

3. EASEMENTS

Private easements as shown on the subdivision plat shall be preserved by the respective lot owners. Site improvements shall not be placed so as to interfere with the maintenance or repair of any private easement or make maintenance or repair significantly more difficult or expensive. The owner of any lot which has a private easement shall maintain the private easement area at his or her expense. Lots 90 through 102, 104, 105, 112 through 114, 121 and 122, are encumbered by private storm drainage and maintenance easements (the "Easements"). The owners of these lots along with the other benefiting property owners shall be responsible for maintaining the private utility within the private easement area on a proportional use basis (equal maintenance cost responsibility for each

benefiting Lot) as set forth in the aforesaid Storm Sewer Maintenance Agreement. In the event the private utility within the private easement requires maintenance and repair, the private easement area shall thereafter be returned to its original condition. In the event the private utility within the private easement is damaged by the actions of any one owner, that owner shall be fully responsible for immediately repairing and restoring the private utility and surface area within the private easement to its original condition.

4. OFFENSIVE ACTIVITIES

No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done, grown or placed upon any lot, which interferes with or jeopardizes the enjoyment of other lot owners within this subdivision. Each lot shall be maintained so that grass does not exceed six inches (6") in length.

5. ANIMALS

No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that a reasonable number (not to exceed two [2] dogs, cats or other household pets) may be kept provided that they are not kept, bred or maintained for commercial purposes and are reasonably controlled so as not to be a nuisance and to conform with City Code.

6. SIGNS

No signs shall be erected or maintained on any lot (excluding any Braewood entry sign(s)) except that not more than one "FOR SALE" or "FOR RENT" sign placed by the owners, Declarant or by a licensed real estate agent, not exceeding twenty-four (24) inches high and thirty-six (36) inches long, may be temporarily displayed on any lot. This restriction shall not prohibit the temporary placement of "political" signs on any lot by Owner or appointees provided the same shall not be a violation of the controlling governmental sign ordinance.

7. PARKING

Parking of boats, trailers, motor homes, motorcycles, trucks, truck-campers and like equipment shall not be allowed on any part of the property nor on public street adjacent thereto excepting only within the confines of an enclosed garage or behind a sight obscuring fence of approved design, provided such equipment is not visible to neighboring property owners or the street. Each dwelling must have off-street parking spaces for at least four vehicles. Garage bays may be counted for the purposes of meeting this requirement. No vehicle parking on Lots is allowed unless in areas planned and constructed as parking areas and approved by the Architectural Control Committee.

8. VEHICLES IN DISREPAIR

No lot owner shall permit any vehicle that is in an extreme state of disrepair to be abandoned or to remain parked upon any lot or on any street for a period in excess of

forty-eight (48) hours. A vehicle shall be deemed to be in an "extreme state of disrepair" when due to its continued inoperability or significant damage it offends the occupants of the neighborhood.

9. RUBBISH AND TRASH

No lot shall be used as a dumping ground for trash or rubbish of any kind. All garbage and other waste shall be kept in appropriate sanitary containers for proper disposal and out of public view. Yard rakings and dirt resulting from landscaping work shall not be dumped onto streets, sidewalks or on any lots.

10. TEMPORARY STRUCTURES, VEHICLES

No structure of a temporary character or vehicle, trailer, motor home, basement, tent, shack, garage, barn or other outbuilding shall be used, placed or remain on any lot at any time as a residence.

11. UTILITIES

No outdoor overhead wire or service drop for the distribution of electric energy or for telecommunication purposes, nor any pole, tower or other structure supporting said overhead wire shall be erected, placed or maintained within this subdivision. All owners of lots within this subdivision, their heirs, successors and assigns shall use underground wires to connect their premises and the structures built thereon to the underground electric, TV cable or telephone utility facilities provided. All sewer and storm sewer pipes from the structure to the underground main lines in public utility easements shall be buried. The exception to the above provision is "digital satellite systems", which will be permitted. The dish may not exceed twenty-five inches (25") in diameter, shall be installed in a manner that is not visible from the street(s).

12. COMPLETION OF CONSTRUCTION

The construction of any building on any lot, including painting and all exterior finish, shall be completed within eight (8) months from the beginning of construction so as to present a finished appearance when viewed from any angle. In the event of undue hardship due to weather conditions, this provision may be extended for a reasonable length of time upon written approval from the Architectural Control Committee.

13. MAINTENANCE DURING CONSTRUCTION

During construction, the lot owner shall be responsible for keeping all streets and sidewalks in a neat and clean condition, and shall not allow any dangerous conditions left unattended on his or her property. ALL MATERIALS, DUMP BOXES, EQUIPMENT, TRAILERS, AND CONSTRUCTION FACILITIES SHALL BE KEPT OFF ALL STREETS DURING CONSTRUCTION TO ALLOW CONTINUOUS CLEANING AND MAINTENANCE OF STREETS.

14. HOUSE ADDRESS PLAQUES

House address plaques shall be affixed to the front of the house, and shall be uniform in appearance as approved by the Architectural Control Committee and recorded as part of these CC&Rs. The house address plaque should show the house number and street name.

15. LANDSCAPE COMPLETION AND MAINTENANCE.

All front, rear and side yard landscaping must be completed pursuant to a Landscape Plan approved by the Architectural Control Committee. All front yard landscaping, the front half of side yards landscaping and exposed side yard landscaping on corner lots, must be installed upon substantial completion of the residence. All remaining landscaping must be completed within six (6) months of occupancy of the dwelling. In the event of undue hardship due to weather conditions, this provision may be extended for a reasonable time, but only after a written application is made to the Architectural Control Committee and the Committee's approval is obtained. Each owner shall maintain the grass, shrubs, trees and other landscaping on his lot in good condition. An in-ground irrigation system is required for landscaping.

16. CONSERVATION ZONES.

Some Lots contain Conservation Zones. The purpose of Conservation Zones is to preserve the natural character of the area. Conservation Zones are located both within privately owned lots and within Common Open Space areas within Braewood Hills Third Addition P.U.D. No buildings, man-made structures or decks are to be constructed within Conservation Zones. Fences consistent with those approved in the CC&Rs are allowed within Conservation Zones on privately owned lots. No tree located in a Conservation Zone may be removed except under the following conditions: a tree which is dead, diseased, dying, dangerous, hazardous or otherwise a threat to the welfare or safety of the public or the occupant of the lot may be removed only after a written report prepared by a certified arborist is approved by the City of Eugene Planning Division. No landscaping or irrigation is permitted to be constructed in areas designated as Conservation Zone. Owners may remove non-native, invasive species such as black berry bushes, poison ivy, English ivy, and scotch broom from a Conservation Zone on a privately owned lot and otherwise maintain the Conservation Zone. Conservation Zones are "no disturb, no build" zones. The zones are areas set aside for native plant and animal habitat. No utilities are to be placed within Conservation Zones. Conservation Zones are shown on the Individual Lot Diagrams attached hereto.

17. FENCES AND HEDGES

The height of a fence or hedge on any lot shall be a maximum of six (6) feet. Brick, stone, cedar (and 4"x 4" treated cedar posts, maximum eight (8) foot sections, "shadow good neighbor" style with alternating vertical boards and 1" x 6" skirts top and bottom (see Exhibit "C")), vinyl-coated cyclone fencing (no slats permitted) or other materials and design approved by the Architectural Committee. All wood fencing shall be treated

with natural preservatives in a natural color. Vinyl-clad fencing shall be dark green or black. The location of any fences or hedges erected shall be along the rear lot line and/or along the side lot lines, but said fence or hedge may not be placed forward of the front setback line for the residence. Corner lots are considered to have two front lot lines. No fence, hedge or wall shall be erected without prior written approval of the Architectural Control Committee.

18. ANTENNAS AND SERVICE FACILITIES

Clotheslines, antennas and other service equipment shall be screened so as not to be viewed from any street and shall be set back from adjoining property lines at least twenty (20) feet.

19. EXTERIOR MATERIALS

Exterior materials must be new and approved for use by the Architectural Control Committee, and in accordance with the provisions appearing in the Contract for purchase of lots in this subdivision. All structure elevations shall be of double-wall construction and all structures shall be constructed entirely on site, excepting exterior wall panels which may be framed and sided off-site. ROOFING: Roofing materials must be cedar shingle, cedar shake, tile or dimensional shingle, or composition shingle Elk Pristique High Definition 40 year limited warranty or like quality. In appropriate circumstances, other material and design in keeping with the quality and character of Braewood will be allowed, subject to approval by the Architectural Control Committee. SIDING: The exterior siding material shall be beveled-cedar, stone, brick, stucco or Hardiboard or other wood or cementitious, fiber board -type manufactured lap siding specifically approved by the Architectural Control Committee. T-111 plywood or other pressed wood sheet siding shall not be permitted. WINDOWS: Windows shall be painted wood or approved vinyl-clad. Exterior doors and garage doors can be either wood, vinyl-clad wood or metal construction. Garage doors can be either wood, or metal construction. In appropriate circumstances the Architectural Control Committee can approve other materials, keeping with the quality character of Braewood West. ACCENT MATERIAL: Each home shall have visible to the street a minimum of two-hundred (200) square feet of brick, stone or other quality weather-resistant accent veneer or trim product approved by the Architectural Control Committee.

20. EXTERIOR FINISH

The exterior finish of all construction on any lot shall be designed, built and maintained in such a manner as to blend in with the existing structures and landscaping within this subdivision and the surrounding area. The Architectural Control Committee in accordance with Article II must approve exterior colors. Exterior trim, fences, doors, railings, decks, eaves, gutters and exterior finish on garages and other accessory buildings shall be designed and built to be compatible with the exterior of the structures they adjoin. Newspaper receptacles, and mailboxes, if individual boxes are allowed by the U.S. Postal Service, placed in front of any lot shall be included in a single structure of a

design approved by the Architectural Control Committee prior to construction. Each owner shall be responsible for maintaining and keeping in good order the condition and repair of the exterior of that owner's dwelling unit and the Lot.

21. WINDOW COVERINGS

Window coverings must be commercially produced curtains, shutters, drapes or blinds or other non-commercially produced products of comparable quality, and must be in place upon occupancy of the dwelling.

22. SIDEWALK AND STREET TREE INSTALLATION; TREE PRESERVATION

Installation of sidewalks and street trees along the street frontage of each lot are mandated by the City of Eugene through its Development Code and Street Tree Code.

SIDEWALKS: All sidewalks are the responsibility of the lot owner and must be constructed in conformance with Braewood West 2nd Addition Public Improvement plans approved by the City of Eugene Department of Public Works. Consult Eugene Public Improvement (street) Code ordinance and the Braewood West 2nd Addition Privately Engineered Public Improvement plans for sidewalk dimensions.

STREET TREES: Initial installation of street trees is required within six (6) months of initial occupancy of each home. All street trees must be planted in accordance with the Street Tree Code and the Braewood West 2nd Addition Street Tree Plan and Street Tree Plan Agreement. Declarant has contracted for initial installation of all Street Trees, and the lot owner has reimbursed Declarant for its prorata share of the contract cost. Lot owners responsible for destruction of Street Trees must replace same in compliance with City Code.

TREE PRESERVATION AND PROTECTION: Street Trees: City of Eugene Code prohibits removing or in any way damaging street trees in the public right-of-way without the approval of the Urban Forester and the issuance of a tree removal permit.

Certain trees on the Property have been designated for preservation, or preserved at the discretion of the Lot owner, on the Braewood Hills Third Addition P.U.D. plan. Attached are Individual Lot Diagrams locating those trees on individual Lots, and the following are the preservation and protection requirements of the P.U.D.

- A. The contractor shall employ the services of an arborist certified by the International Society of Arboriculture.
- B. Removal of trees and stumps will be performed without disturbing soils in the critical root zone of the trees to remain. Tree felling and yarding shall be performed without causing bark wounds or serious limb damage to any tree noted to remain.
- C. The contractor shall provide barriers, fencing and other temporary protection measures required to prevent construction activities from impacting upon the root structure of the trees to be protected as shown hereon.

- D. The arborist shall supervise installation and maintenance of protective construction fencing.
- E. Areas behind protective barriers are for protection of critical root zones of trees to remain. No excavation soils, construction materials or equipment shall be placed around barriers at any time.
- F. The contractor shall cooperate with the arborist and provide access to construction areas as required for root inspection, documentation activities and to excavate soil from around roots.
- G. The arborist shall document resulting conditions and provide recommendations for treatment of cut root ends. The contractor shall implement such recommendations immediately.
- H. Root ends greater than 2" diameter that are encountered within conservation areas shall be preserved.
- I. Root ends greater than 3" diameter that are encountered outside of conservation zones shall be preserved.
- J. When roots over 1" diameter are encountered during excavation they shall be cut with a sharp instrument and not torn, ripped or fractured mechanically.
- K. Removal of dead, diseased, or hazardous trees identified as a preservation tree shall be allowed with documentation from a certified arborist or landscape architect as to the condition of the tree and the need for removal.
- L. All building permits for construction on the lots shall be required to include a report from a certified arborist who has verified that the proposed construction activities on the lot can be conducted in a manner that does not threaten the survival of the trees to be preserved.

Some Lots contain Conservation Zones. Trees shown on the Individual Lot Diagrams as "Trees to Initially Remain" can be removed at the discretion of the homeowner. Trees labeled as "Trees to Remain" cannot be removed. No tree located in a Conservation Zone may be removed except under the following conditions: a tree which is dead, diseased, dying, dangerous, hazardous or otherwise a threat to the welfare or safety of the public or the occupant of the lot may be removed only after a written report prepared by a certified arborist is approved by the City of Eugene Planning Division (see above Section 16 CONSERVATION ZONES).

23. PARTITIONING

No lot may be partitioned or subdivided after sale or conveyance by the Declarant.

24. HEATING AND AIR CONDITIONING

All exterior air conditioning and heating units shall be approved by the Architectural Control Committee as to location. No window-mounted air conditioning units are allowed to be visible from any street or neighboring home (must be obscured with landscaping, etc.).

25. DRAINAGE

It is the responsibility of each Lot owner to provide grading for natural drainage runoff, and each owner will provide drainage systems as necessary to properly drain surface water. If necessary to provide proper drainage, each owner will provide drainage easements adjacent to the Lot lines to assist neighboring Lot owners.

26. UTILITY PLACEMENT

Declarant discloses to all Lot owners that the placement of all utility lines and equipment, including meters, hydrants, conduit and piping, is up to the sole discretion of the utility installing such equipment, and that placement may not be centered within easements, or on Lot corners or boundaries. Lot owners are advised that they cannot rely on placement of such equipment to delineate boundaries of Lots or easements.

27. SOILS REPORTS

A Geotechnical Investigation Report has been completed and is part of the Braewood Hills Third Addition P.U.D. approved by the City of Eugene. Lot purchasers should seek professional advice regarding the condition of the soils and topography as they relate to Purchaser's building engineering plans.

28. RENTAL

In the event a lot contains a primary dwelling unit and an accessory residential dwelling unit, one of the dwelling units must be occupied by the lot owner per EC 9.2741(2) (or the corresponding provision of any such future law).

29. HOMEOWNER'S ASSOCIATION

All purchasers of lots within Braewood West 2nd Addition are required to become members of the Braewood Homeowner's Association (the "Association") and to abide by all rules, regulations and conditions of membership of the Association and to promptly pay all Association dues and assessments when billed. All purchasers of lots within Braewood West 2nd Addition shall also be required to become members of the Association.

The Association property owners are subject to assessment to pay the common costs of maintaining the landscaping and irrigation in the southerly right of way of Randy Lane and adjoining City property and the entrance sign, installed for their benefit, to be located on said City property on Lot 1 of Braewood West Subdivision and for all other liabilities and expenses incurred in the performance of the City Property and Right-of-Way Use and Maintenance Agreement between and among the Declarant, Braewood Homeowners Association and the City of Eugene.

ARTICLE II

ARCHITECTURAL CONTROL COMMITTEE

1. ARCHITECTURAL REVIEW

No structure, including storage shelters, shall be commenced, erected, placed or altered on any lot until construction plans and specifications and a plat showing the nature, shape, heights, material, colors and proposed location of the structure or change have been submitted to and approved in writing by the Architectural Control Committee. It is the intention and purpose of this covenant to assure the quality of workmanship and materials, harmony of external design with the existing structures as to location, topography and finished grade elevations to avoid plan repetition. In all cases, the Architectural Control Committee's consent is required.

A. MAJOR CONSTRUCTION

In the case of initial or substantial additional construction of a dwelling or landscaping, the owner shall prepare and submit to the Architectural Control Committee thirty (30) days prior to planned construction such plans and specifications for the proposed work as the Committee may require. Materials required by the Committee may include, but not necessarily be limited to the following:

- (A.1.) Two sets of Structure and Site Plans, drawn to minimum 1/8" scale, indicating location of all improvements, including private drainage. Drawings must show elevations, exterior materials and exterior color schemes of all improvements, including the mailbox if applicable, newspaper structure and fencing.
- (A.2.) Two sets of Landscape Plans, drawn to minimum 1":50' scale, showing yard landscape design and location including a description and size of plant materials. The parking strip shall be included in the landscaping plan.

The Architectural Control Committee shall render its decision with respect to the proposal after it has received all required materials.

B. MINOR WORK

In the case of minor additions or remodeling, change of existing exterior color scheme or exterior materials, greenhouse, swimming pool construction or any other work not referred to in (A.) above, the owner shall submit to the Architectural Control Committee such plans, drawn to scale, and specifications for the proposed work as the Committee determines to be necessary to enable it to evaluate the proposal. The Architectural Control Committee shall render its

decision with respect to the proposal after it has received all material required by it with respect thereto.

2. ARCHITECTURAL CONTROL COMMITTEE DECISION

The Committee may, at its sole discretion, withhold consent to any proposed work if the Committee finds that the proposed work would be inappropriate for the particular lot or incompatible with the design standards that the Declarant intends for the subdivision. Considerations such as siting, shape, size, color, design, height, impairment of the view from other lots within this subdivision or other effects on the enjoyment of other factors which the Committee reasonably believes to be relevant, may be taken into account by the Committee in determining whether or not to consent to any proposed work.

3. MEMBERSHIP: APPOINTMENT AND REMOVAL

The Architectural Control Committee, hereinafter referred to as the "Committee," shall consist of as many persons as the Declarant may from time to time appoint. The Declarant shall keep on file at their principal office a list of names and addresses of Committee members. A member of the Committee shall not be entitled to any compensation for services performed pursuant to these Covenants. The powers and duties of such Committee shall cease one year after completion of construction of all dwellings on all building sites within this project and the sale of said dwellings to the initial owner/occupants.

4. LIABILITY

Neither the Architectural Control Committee nor any member thereof shall be held liable to any owner, occupant, builder or developer for any damage, loss or prejudice suffered or claimed on account of any action or failure to act by the Committee or a member thereof, provided that the member has, in accordance with actual knowledge possessed by him or her, acted in good faith.

5. ACTION

Except as otherwise provided herein, any one member of the Architectural Control Committee shall have power to act on behalf of the Committee, without the necessity of a meeting and without the necessity of consulting the remaining members of the Committee. The Committee may render its decisions only by written instrument setting forth the action taken by the members consenting thereto.

6. NONWAIVER

Consent by the Architectural Control Committee to any matter proposed to it within its jurisdiction under these covenants shall not be deemed to constitute a precedent or waiver impairing its rights to withhold approval as to any similar matter thereafter proposed or submitted to it for consent.

7. EFFECTIVE PERIOD OF CONSENT

The Committee's consent to any proposed work shall automatically be revoked one year after issuance unless construction of the work has commenced or the owner has applied for and received an extension of time from the Committee.

ARTICLE III

GENERAL PROVISIONS

1. TERM AND AMENDMENT

These covenants and restrictions shall run with and bind all the property within this subdivision for a term of twenty-five (25) years from the date this declaration is recorded, after which time they shall be automatically extended for successive periods of ten (10) years. This declaration or parts hereof can be terminated, revoked or amended only by duly recording an instrument which contains the amendment or the order of revocation or termination and which is signed by the owners of seventy-five (75) percent of the owners of the lots in Braewood West 2nd Addition, except that the Declarant has the sole and exclusive authority to terminate, revoke, or amend these conditions, covenants and restrictions until the Declarant has sold his last lot and it has been built upon.

2. ENFORCEMENT

In the event of any violation of any of the provisions of this declaration, the Declarant or any other person or persons owning real property within the plat may, at their option, exercise the right to enforce these covenants by bringing action in a court of law. Failure by any party to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. The prevailing party in any action brought to enforce the provisions of the declarations shall be entitled to recover all costs, including reasonable attorney fees, incurred in such enforcement.

3. SEVERABILITY

Invalidation of any one of these covenants by judgement or court order shall in no way affect any of the other provisions that shall remain in full force and effect.

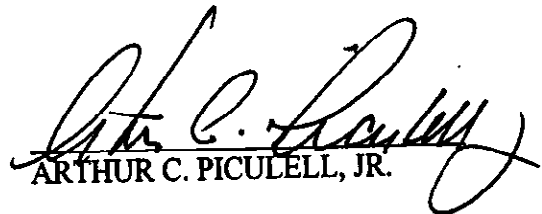
4. LIMITATION OF LIABILITY OF DECLARANT

Declarant shall not be liable to any owner on account of action or failure to act by Declarant in performing his duties or rights hereunder, provided that Declarant has, in accordance with actual knowledge possessed by him, acted in good faith.

5. CONFLICTS WITH CITY CODES AND REGULATIONS

These CC&Rs constitute a private contract among the owners of Lots 86 through 127 within Braewood West 2nd Addition and will not be enforced by the City of Eugene. These CC&Rs do not restrict the City's authority to adopt or amend its development regulations. It is the duty of every person engaged in development within Braewood West 2nd Addition to know the requirements of these CC&Rs. Any questions regarding these provisions shall be directed to the Architectural Control Committee. The City will not be liable for any approvals or permits which are granted in compliance with City regulations but that are not in compliance with these CC&Rs. The provisions of this paragraph do not limit the rights of the City of Eugene.

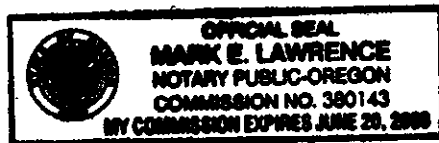
IN WITNESS WHEREOF, the undersigned, being Declarant herein, has hereto set his hand this 24th day of January, 2005.

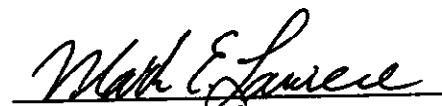

ARTHUR C. PICULELL, JR.

STATE OF OREGON)

COUNTY OF WASHINGTON)

I, Mark E. Lawrence, a Notary Public for the State of Oregon, hereby certify that on the 24th day of January 2005, personally appeared before me Arthur C. Piculell, Jr. did acknowledge the execution of the foregoing instrument to be his free and voluntary act.




Notary Public for Oregon
My Commission expires 6/20/08

EXHIBITS

- A. Approved Street Tree Species.
- B. House Numbers.
- C. Shadow Good Neighbor Fence Detail
- D. Individual Lot Diagrams.

EXHIBIT "A"
Approved Street Tree Species

- The City of Eugene Public Works Parks and Open Spaces Division is responsible for providing and planting street trees within this development.
- The City only plants new street trees during the tree's dormant period between the months of November through March.
- To get on the list for the City's next planting season, the property owner must contact the office of the Urban Forester at (541) 682-4800.
- No trees will be planted until after home construction, driveways, sidewalks, and rough landscaping is completed.
- The property owner shall request the planting of Norway Maple (*Acer Platanoides*) included in the City's "Approved Street Tree Species List", which will meet the planting standards contained within City of Eugene Administrative Rule R-7.280.
- Landscaping design within the parking strip (planting strip) must provide automated irrigation. (Automatic irrigation systems are not provided by the City).

EXHIBIT "B"
House Address Plaques

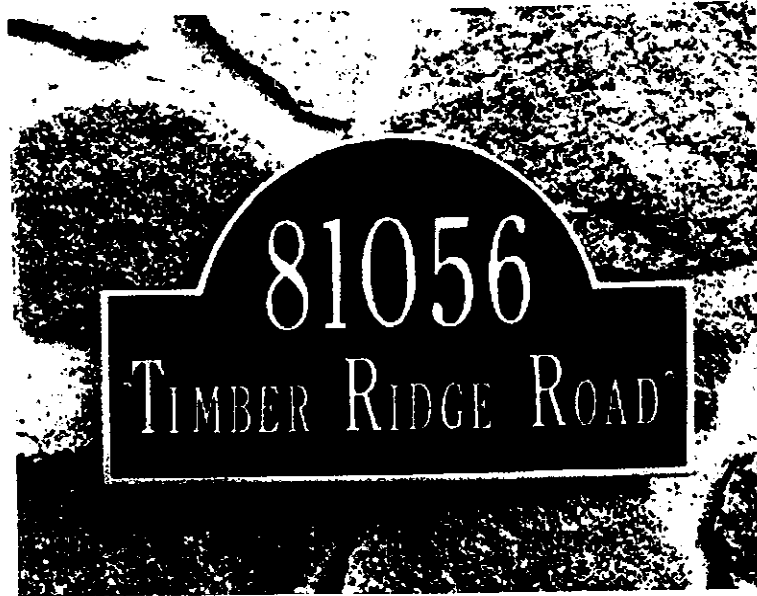
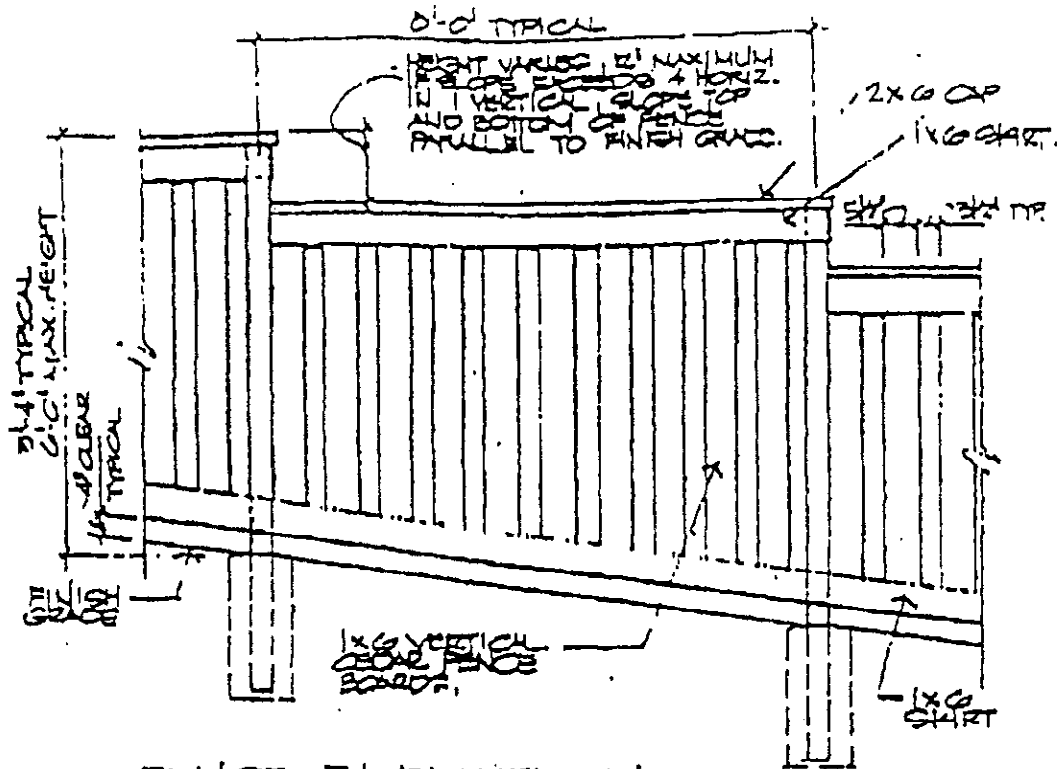
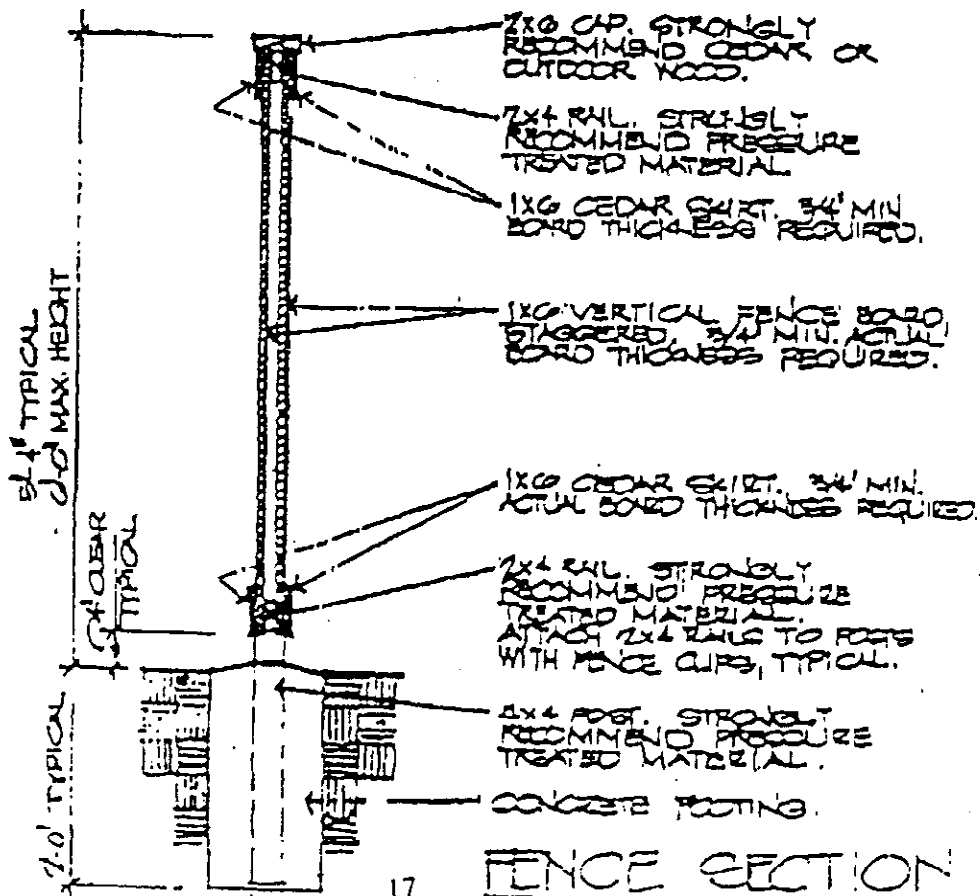


EXHIBIT "C" Shadow Good Neighbor Fence Detail



FENCE ELEVATION



FENCE SECTION

EXHIBIT "D"
Individual Lot Diagrams

BRAEWOOD WEST 2ND ADDITION LOT 86 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT # PER FINAL PLAT
(257) LOT # PER FINAL P.U.D. PLANS

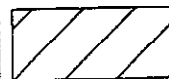
--- EASEMENT LINE

+ SINGLE TREE



TREE CLUSTER OR TREE CANOPY

--- ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED



DISCRETIONARY ZONE (BUILDABLE AREA)



CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

RESTRICTED TREE REMOVAL:

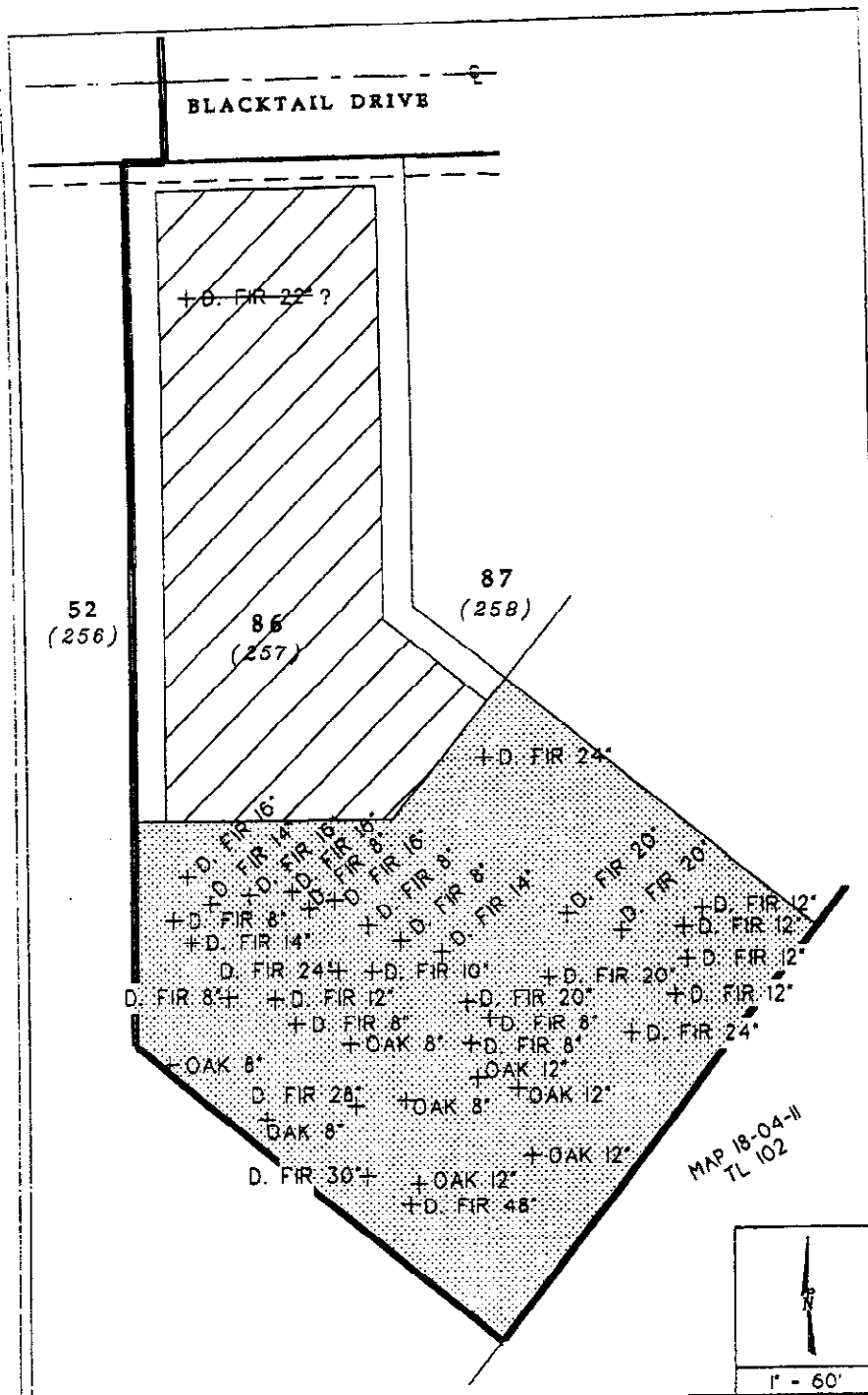
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CERTAIN LOTS HAVE AREAS WITH CONSERVATION ZONE OVERLAYS. THE PURPOSE OF CONSERVATION ZONES IS TO PRESERVE THE NATURAL CHARACTER OF THE AREA. FENCES CONSISTENT WITH THOSE APPROVED IN THE CC&RS ARE ALLOWED WITHIN CONSERVATION ZONES ON PRIVATELY OWNED LOTS. NO LANDSCAPING IS PERMITTED TO BE CONSTRUCTED IN AREAS DESIGNATED AS CONSERVATION ZONES. OWNERS MAY REMOVE NON-NATIVE, INVASIVE SPECIES SUCH AS BLACKBERRY BUSHES, POISON IVY, ENGLISH IVY, AND SCOTCH BROOM FROM A CONSERVATION ZONE ON A PRIVATELY OWNED LOT AND OTHERWISE MAINTAIN THE CONSERVATION ZONE.



BRAEWOOD WEST 2ND ADDITION LOT 87 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT # PER FINAL PLAT

(257) LOT # PER FINAL P.U.D. PLANS


----- EASEMENT LINE

+ SINGLE TREE

 TREE CLUSTER OR TREE CANOPY

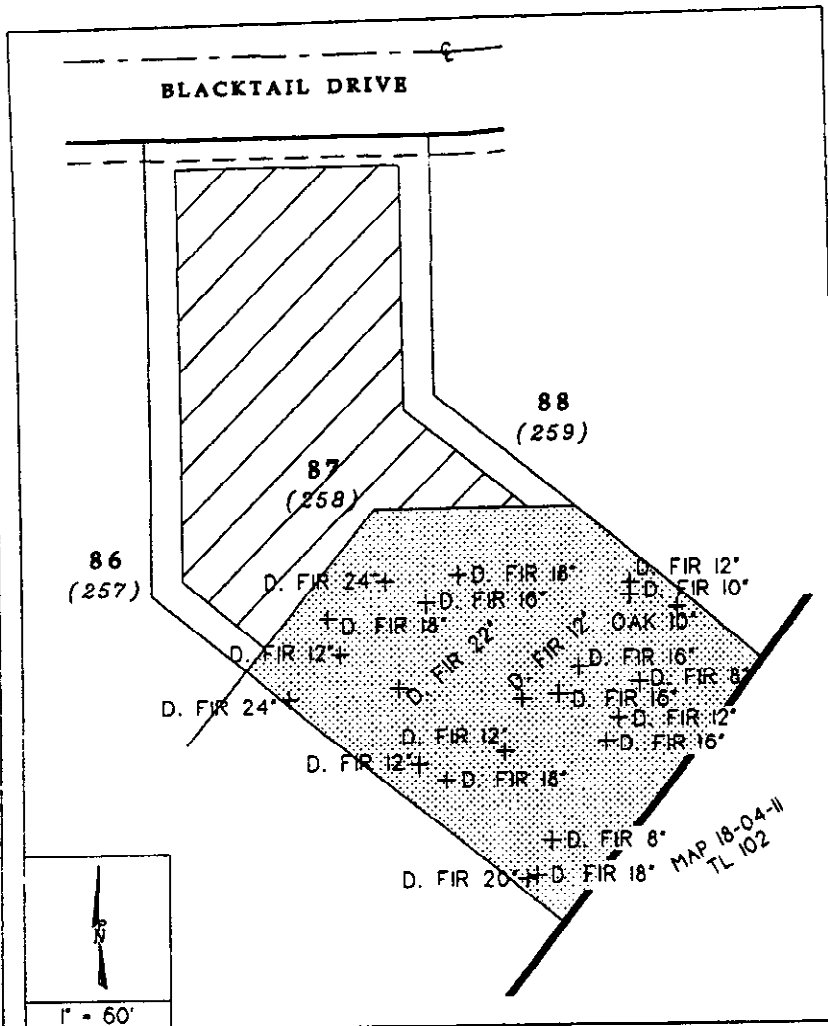
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 DISCRETIONARY ZONE (BUILDABLE AREA)

 CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.



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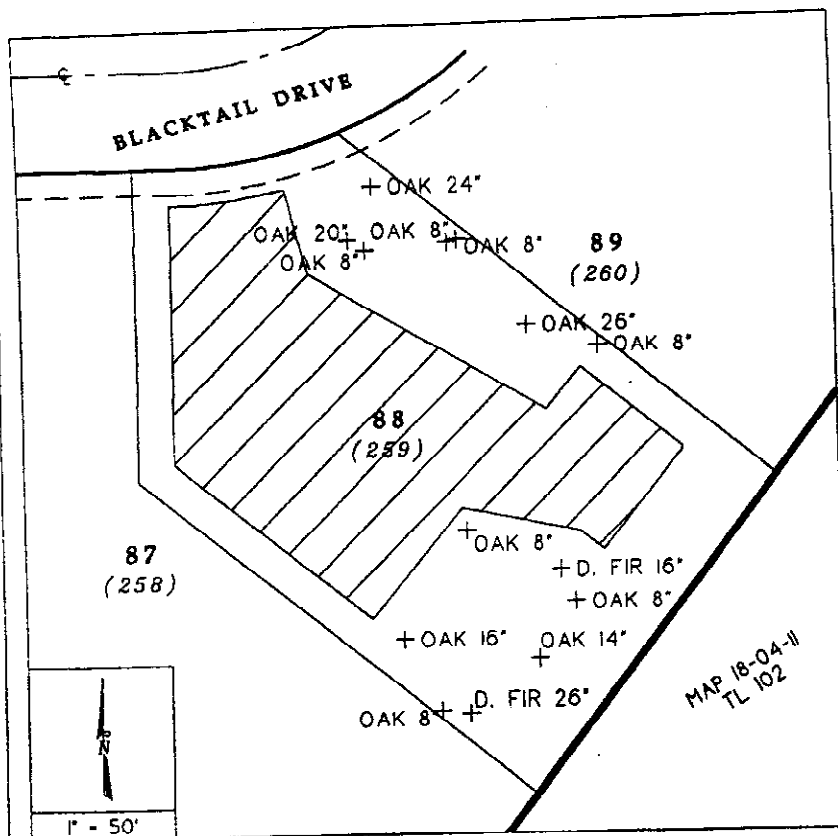
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BRAEWOOD WEST 2ND ADDITION LOT 88 INDIVIDUAL LOT DIAGRAM



LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS

--- EASEMENT LINE

+ SINGLE TREE

 TREE CLUSTER OR TREE CANOPY

--- ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED

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BRAEWOOD WEST 2ND ADDITION

LOT 89

INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS

--- EASEMENT LINE

+ SINGLE TREE

 TREE CLUSTER OR TREE CANOPY

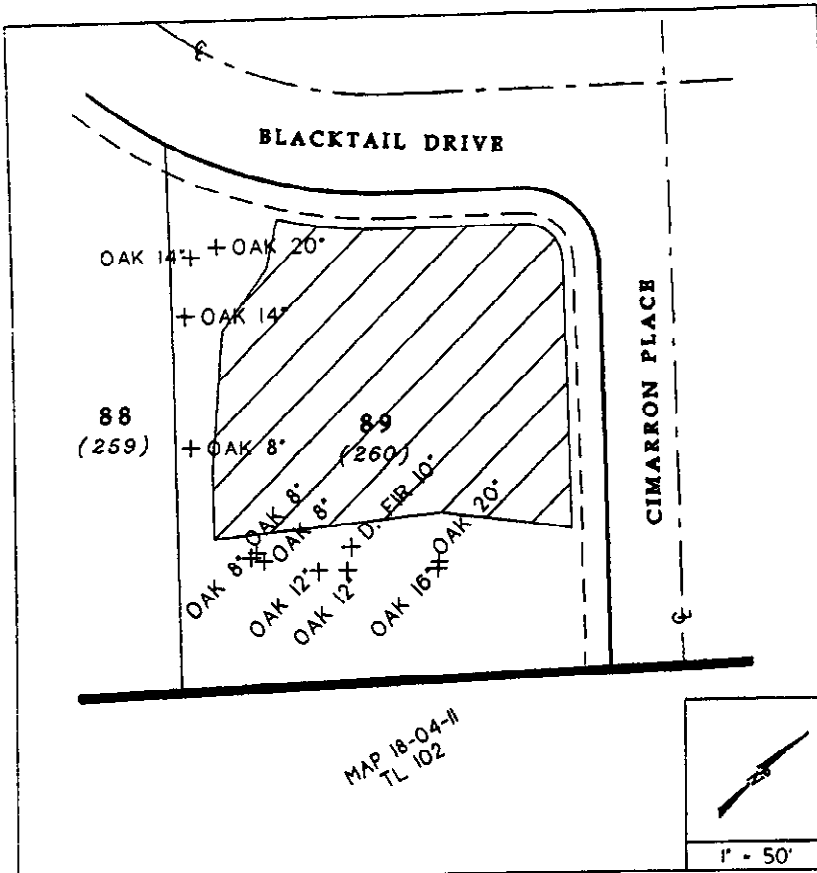
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BRAEWOOD WEST 2ND ADDITION LOT 90 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT # PER FINAL PLAT

(257) LOT # PER FINAL P.U.D. PLANS


--- EASEMENT LINE

+ SINGLE TREE

☁ TREE CLUSTER OR TREE CANOPY

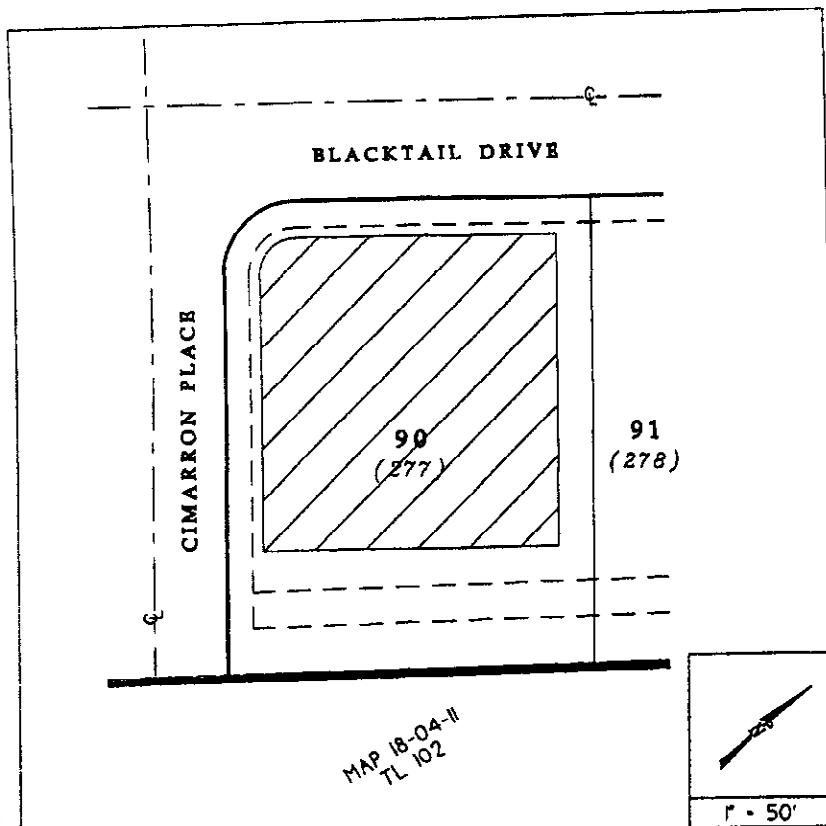
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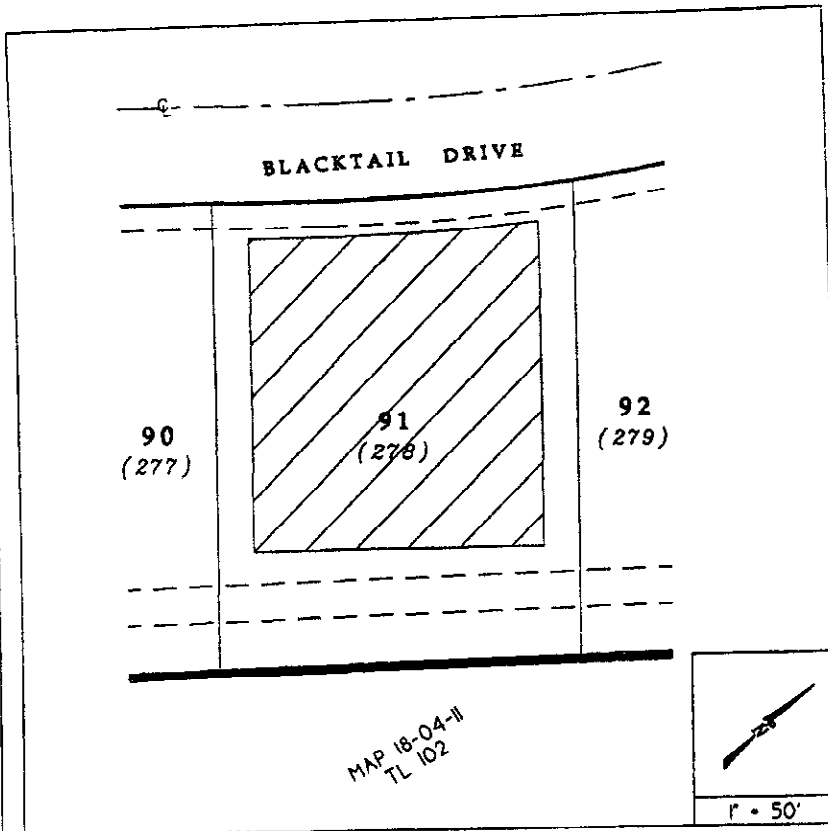
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BRAEWOOD WEST 2ND ADDITION LOT 91 INDIVIDUAL LOT DIAGRAM



LEGEND:

86 LOT # PER FINAL PLAT

(257) LOT # PER FINAL P.U.D. PLANS

--- EASEMENT LINE

+ SINGLE TREE

 TREE CLUSTER OR TREE CANOPY

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BRAEWOOD WEST 2ND ADDITION LOT 92 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT # PER FINAL PLAT

(257) LOT # PER FINAL P.U.D. PLANS

--- EASEMENT LINE

+ SINGLE TREE

☁ TREE CLUSTER OR TREE CANOPY

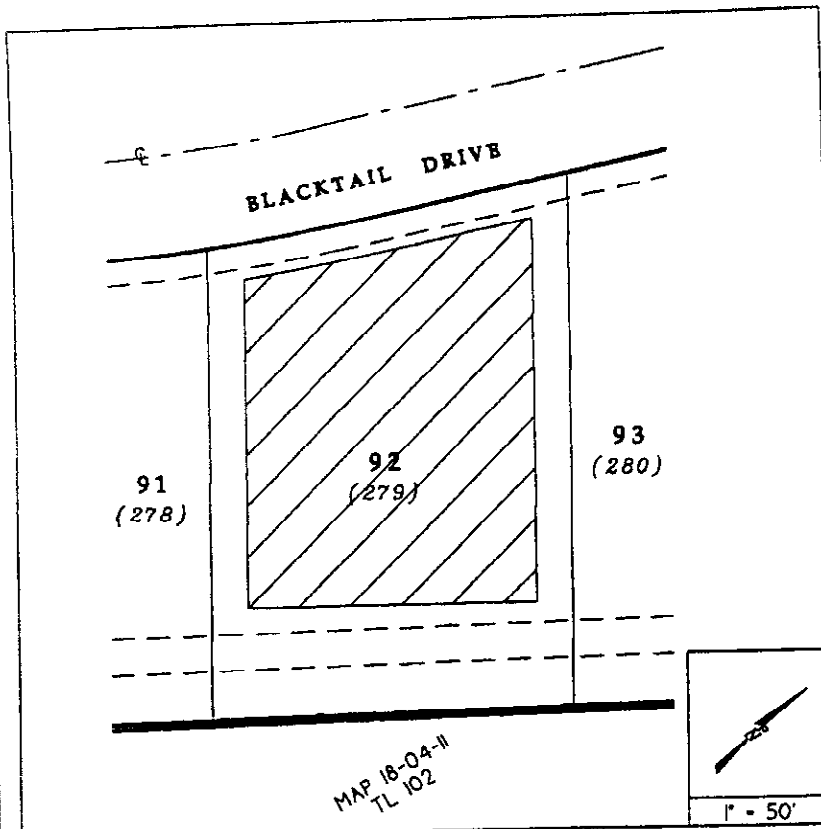
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BRAEWOOD WEST 2ND ADDITION LOT 93 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT # PER FINAL PLAT

(257) LOT # PER FINAL P.U.D. PLANS

----- EASEMENT LINE

+ SINGLE TREE

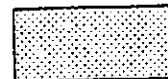


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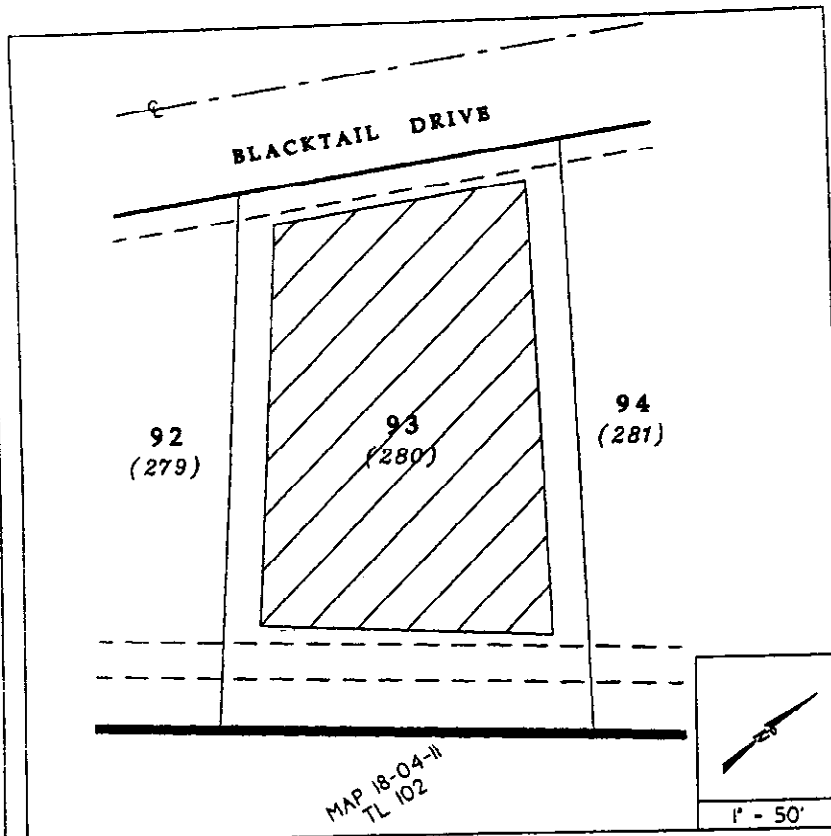
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(BUILDABLE AREA)



CONSERVATION ZONE

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BRAEWOOD WEST 2ND ADDITION LOT 94 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS


----- EASEMENT LINE

+ SINGLE TREE

☁ TREE CLUSTER OR TREE CANOPY

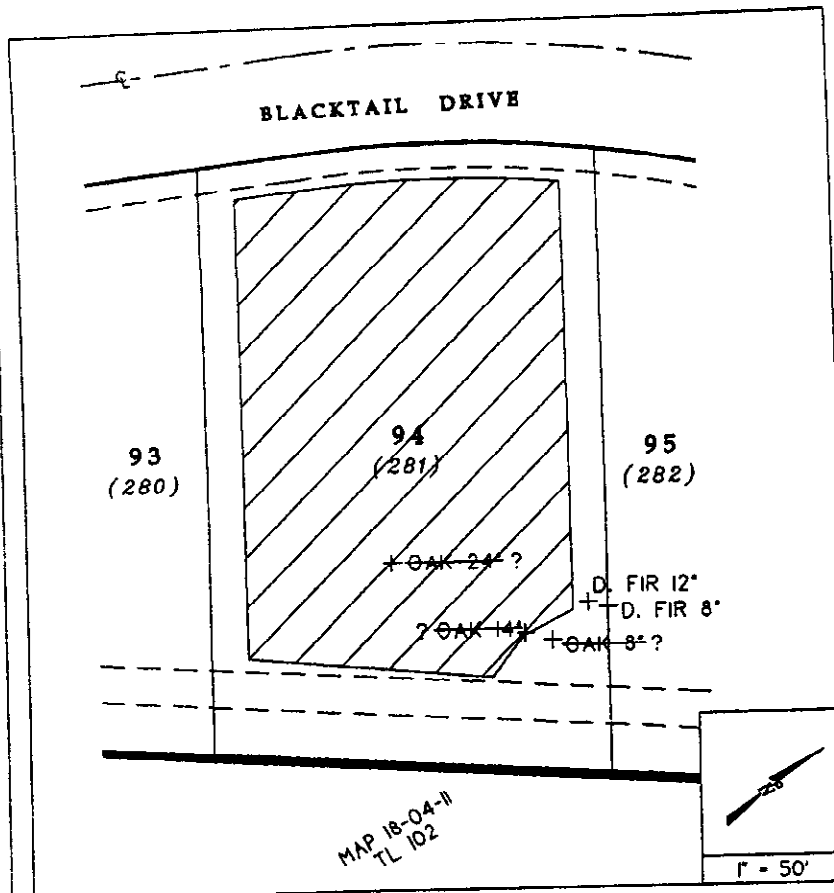
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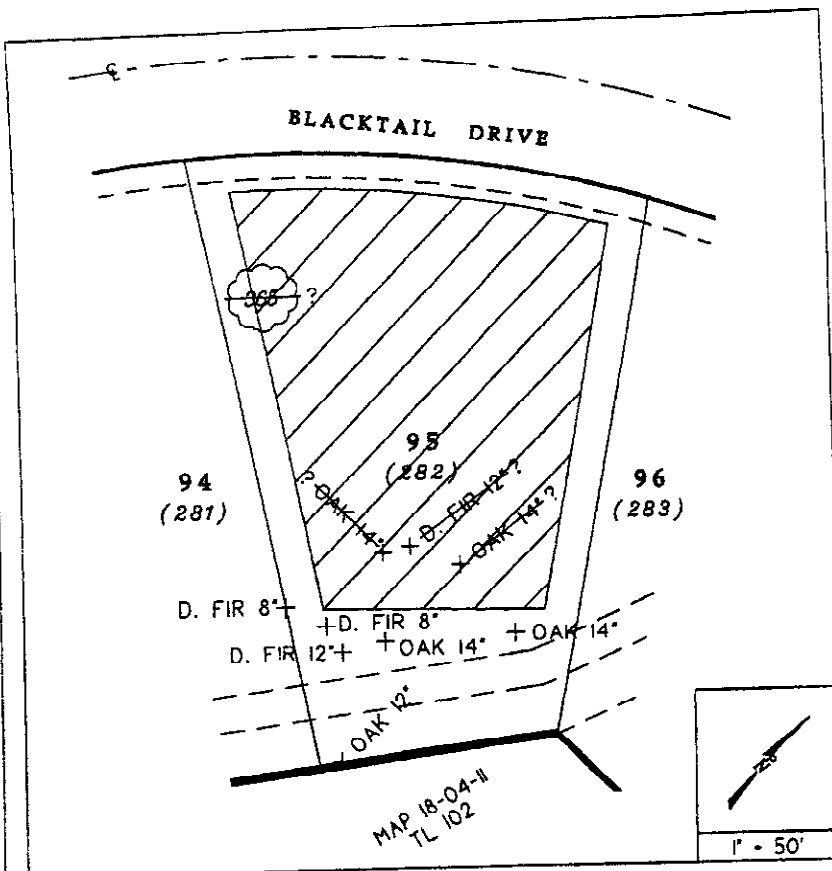
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BRAEWOOD WEST 2ND ADDITION LOT 95 INDIVIDUAL LOT DIAGRAM



LEGEND:

86 LOT # PER FINAL PLAT
(257) LOT # PER FINAL P.U.D. PLANS

--- EASEMENT LINE

+ SINGLE TREE

☁ TREE CLUSTER OR TREE CANOPY

— ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED

 DISCRETIONARY ZONE (BUILDABLE AREA)

 CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

TREE TABLE:

365: 3 - 10" OAK
1 - 16" OAK

BUILDABLE AREA:

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BRAEWOOD WEST 2ND ADDITION LOT 96 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT # PER FINAL PLAT

(257) LOT # PER FINAL P.U.D. PLANS

----- EASEMENT LINE

+ SINGLE TREE

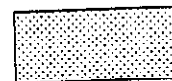


TREE CLUSTER OR TREE CANOPY

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DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED



DISCRETIONARY ZONE (BUILDABLE AREA)



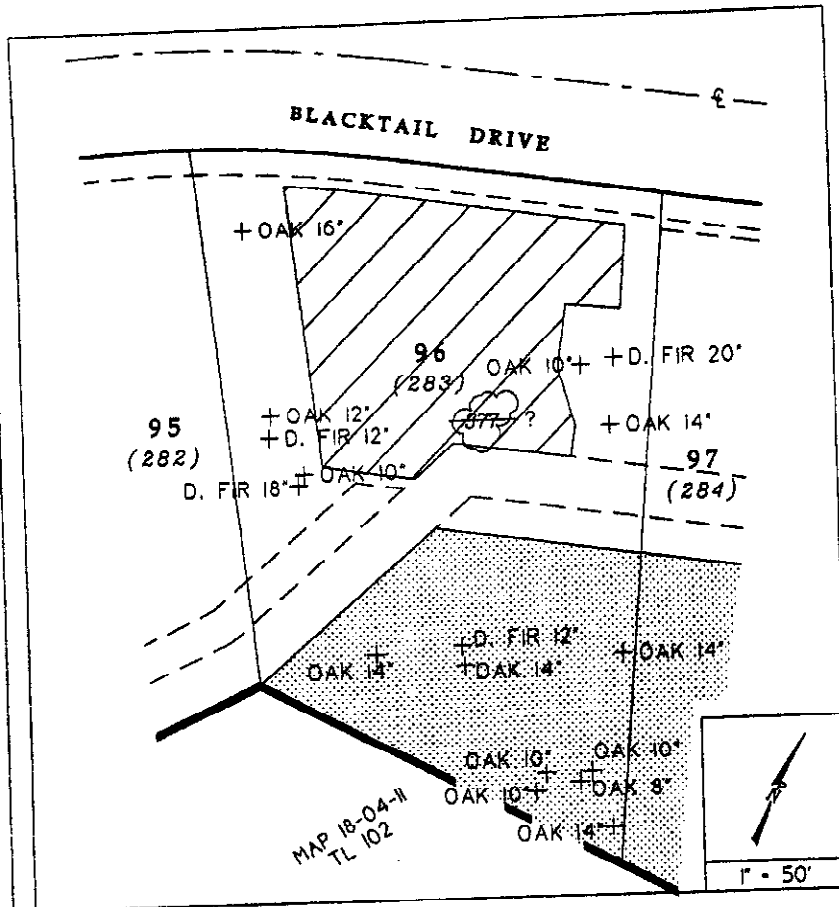
CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

TREE TABLE:

377: 1 - 12' OAK



BUILDABLE AREA:

ONLY WITHIN THIS PORTION OF THE LOT IS CONSTRUCTION OF A RESIDENTIAL DWELLING ALLOWED. ON SOME LOTS, INCLUDED WITHIN THIS BUILDABLE AREA, THERE MAY BE TREES LABELED AS DISCRETIONARY/BUFFER TREES. THE OWNER MAY REMOVE ANY DISCRETIONARY/BUFFER TREES.

RESTRICTED TREE REMOVAL:

ALL TREES OUTSIDE THE BUILDABLE AREA ARE TO BE PRESERVED. NO TREE LOCATED OUTSIDE A BUILDABLE AREA MAY BE REMOVED EXCEPT UNDER THE FOLLOWING CONDITIONS: A TREE WHICH IS DEAD, DISEASED, DYING DANGEROUS, HAZARDOUS OR OTHERWISE A THREAT TO THE WELFARE OR SAFETY OF THE PUBLIC OR THE OCCUPANT OF THE LOT MAY BE REMOVED ONLY AFTER A WRITTEN REPORT PREPARED BY A CERTIFIED ARBORIST IS APPROVED BY THE CITY OF EUGENE PLANNING DIVISION. TREE CLUSTERS CONTAINING TREES THAT MAY BE REMOVED ARE IDENTIFIED ON THE ABOVE PLAN BY NUMBER AND FURTHER EXAMINED ABOVE AS TO WHICH TREES WITHIN THE CLUSTER MAY BE REMOVED AND WHICH MUST NOT BE REMOVED.

CONSERVATION ZONES:

CERTAIN LOTS HAVE AREAS WITH CONSERVATION ZONE OVERLAYS. THE PURPOSE OF CONSERVATION ZONES IS TO PRESERVE THE NATURAL CHARACTER OF THE AREA. FENCES CONSISTENT WITH THOSE APPROVED IN THE CC&R'S ARE ALLOWED WITHIN CONSERVATION ZONES ON PRIVATELY OWNED LOTS. NO LANDSCAPING IS PERMITTED TO BE CONSTRUCTED IN AREAS DESIGNATED AS CONSERVATION ZONES. OWNERS MAY REMOVE NON-NATIVE, INVASIVE SPECIES SUCH AS BLACKBERRY BUSHES, POISON IVY, ENGLISH IVY, AND SCOTCH BROOM FROM A CONSERVATION ZONE ON A PRIVATELY OWNED LOT AND OTHERWISE MAINTAIN THE CONSERVATION ZONE.

BRAEWOOD WEST 2ND ADDITION LOT 97 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS

--- EASEMENT LINE

+ SINGLE TREE

☁ TREE CLUSTER OR TREE CANOPY

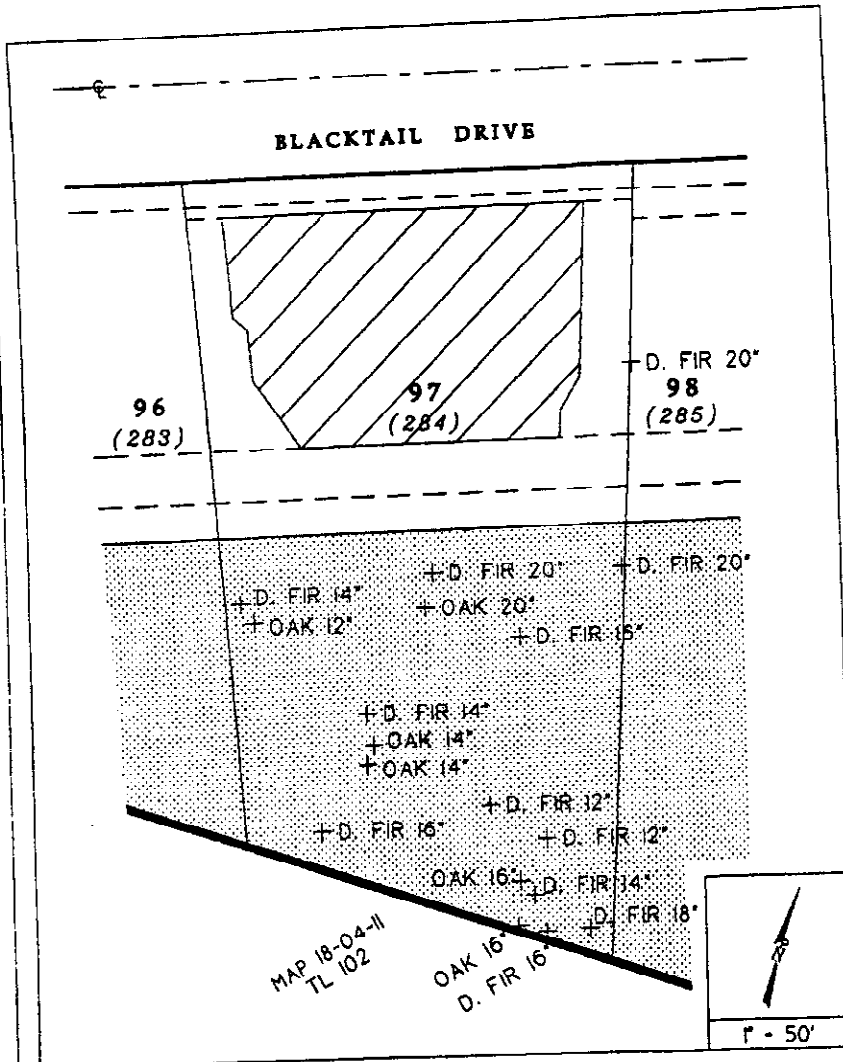
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 DISCRETIONARY ZONE (BULDABLE AREA)

 CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.



BULDABLE AREA:

ONLY WITHIN THIS PORTION OF THE LOT IS CONSTRUCTION OF A RESIDENTIAL DWELLING ALLOWED. ON SOME LOTS, INCLUDED WITHIN THIS BULDABLE AREA, THERE MAY BE TREES LABELED AS DISCRETIONARY/BUFFER TREES. THE OWNER MAY REMOVE ANY DISCRETIONARY/BUFFER TREES.

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BRAEWOOD WEST 2ND ADDITION LOT 98 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS

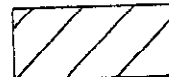
--- EASEMENT LINE

+ SINGLE TREE

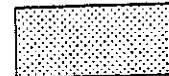


TREE CLUSTER OR TREE CANOPY

--- ?
DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED



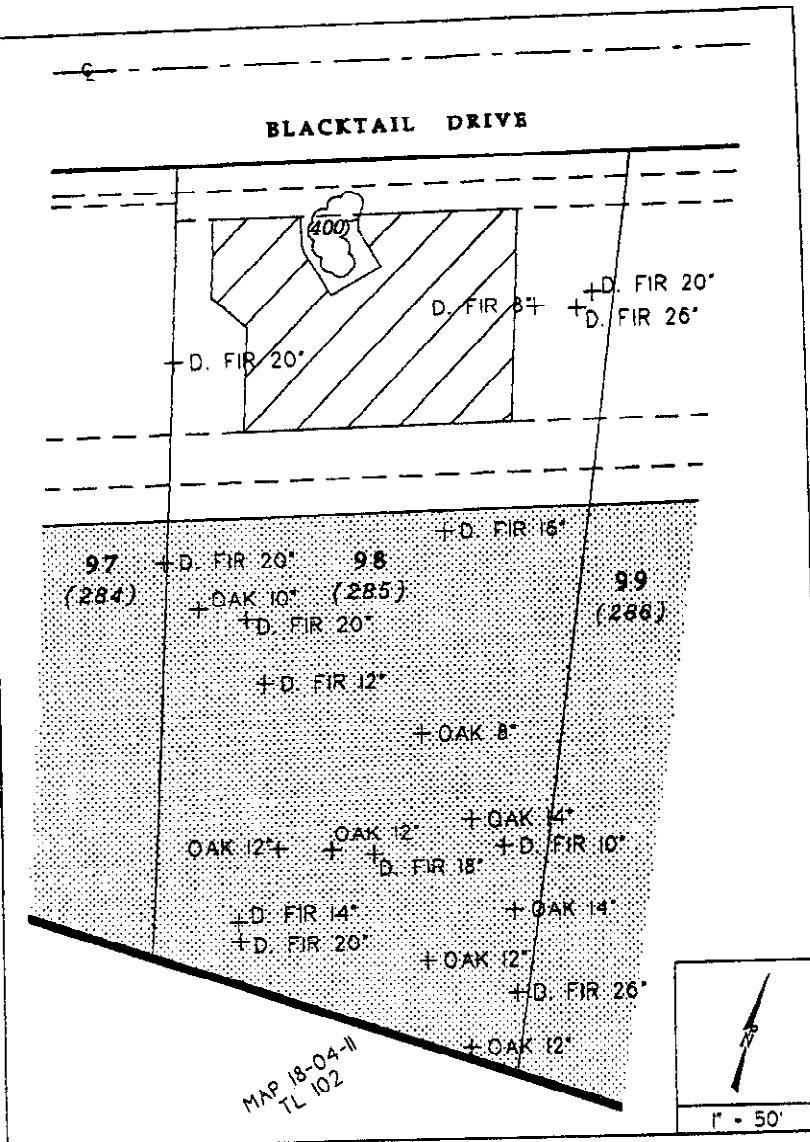
DISCRETIONARY ZONE
(BUILDABLE AREA)



CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.



BUILDABLE AREA:

ONLY WITHIN THIS PORTION OF THE LOT IS CONSTRUCTION OF A RESIDENTIAL DWELLING ALLOWED. ON SOME LOTS, INCLUDED WITHIN THIS BUILDABLE AREA, THERE MAY BE TREES LABELED AS DISCRETIONARY/BUFFER TREES. THE OWNER MAY REMOVE ANY DISCRETIONARY/BUFFER TREES.

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BRAEWOOD WEST 2ND ADDITION LOT 99 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS

--- EASEMENT LINE

+ SINGLE TREE

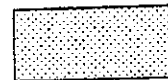


TREE CLUSTER OR TREE CANOPY

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DISCRETIONARY ZONE (BUILDABLE AREA)



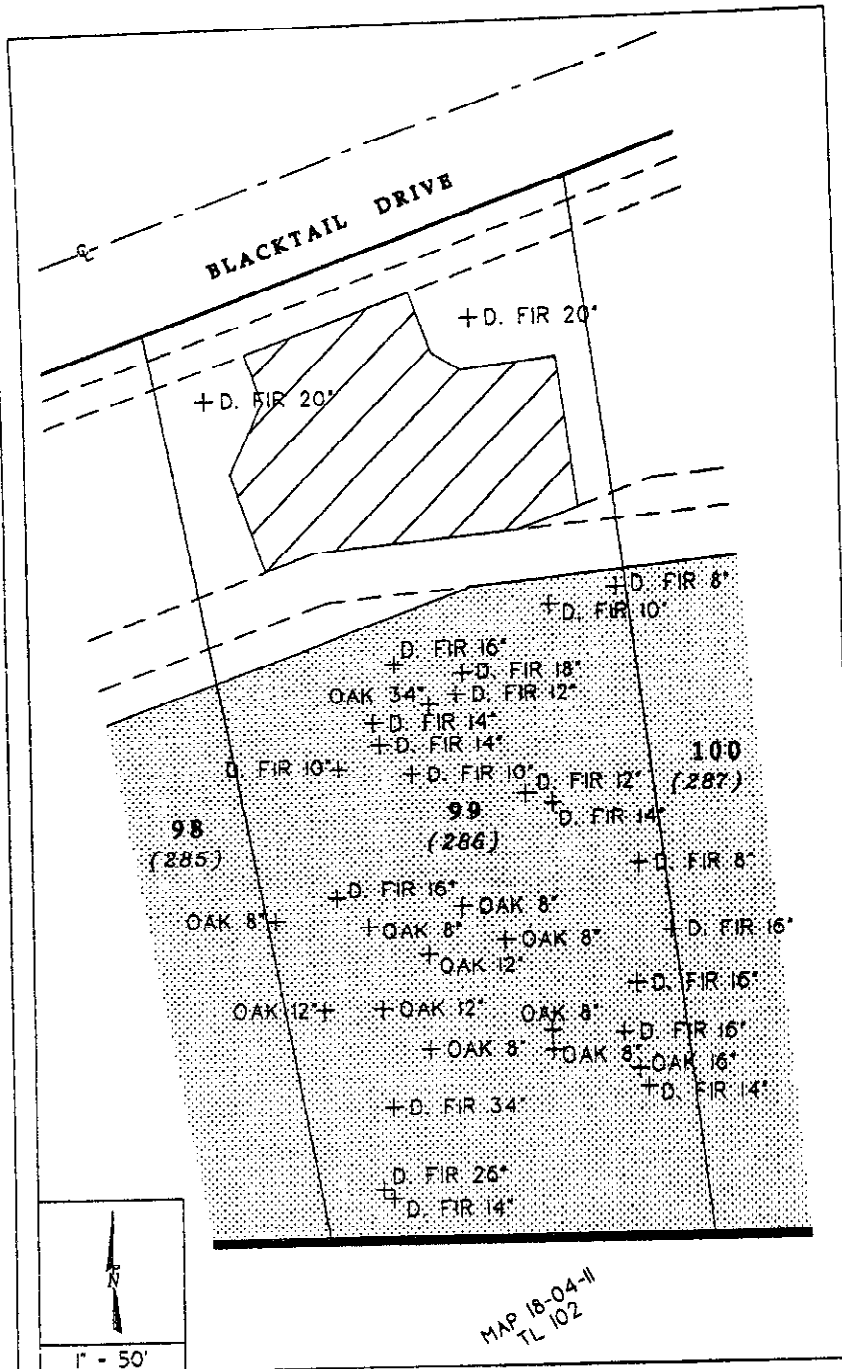
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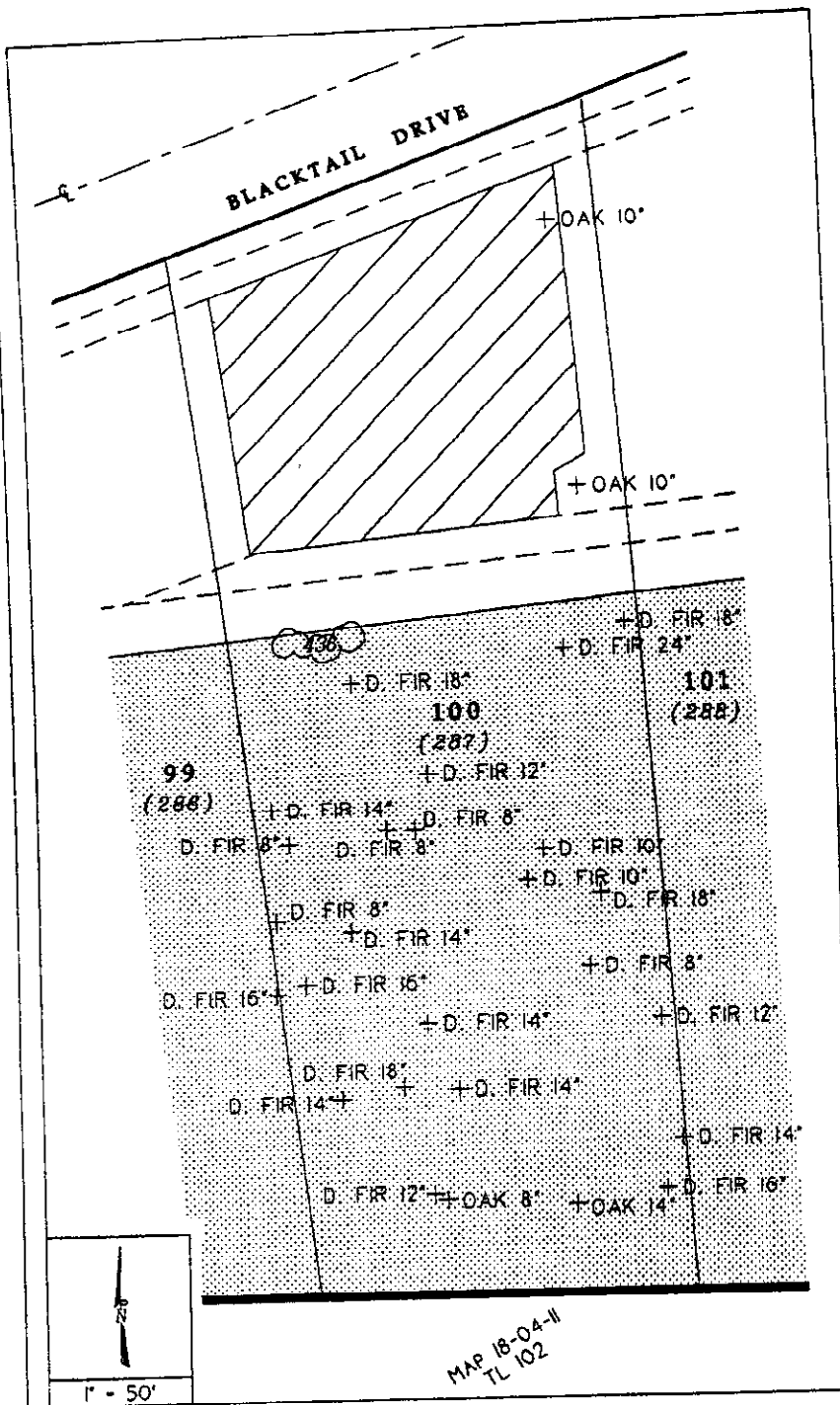
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BRAEWOOD WEST 2ND ADDITION LOT 100 INDIVIDUAL LOT DIAGRAM



LEGEND:

86 LOT *PER FINAL PLAT

(257) LOT *PER FINAL P.U.D. PLANS

--- EASEMENT LINE

+ SINGLE TREE

☁ TREE CLUSTER OR TREE CANOPY

— ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED

 DISCRETIONARY ZONE (BUILDABLE AREA)

 CONSERVATION ZONE

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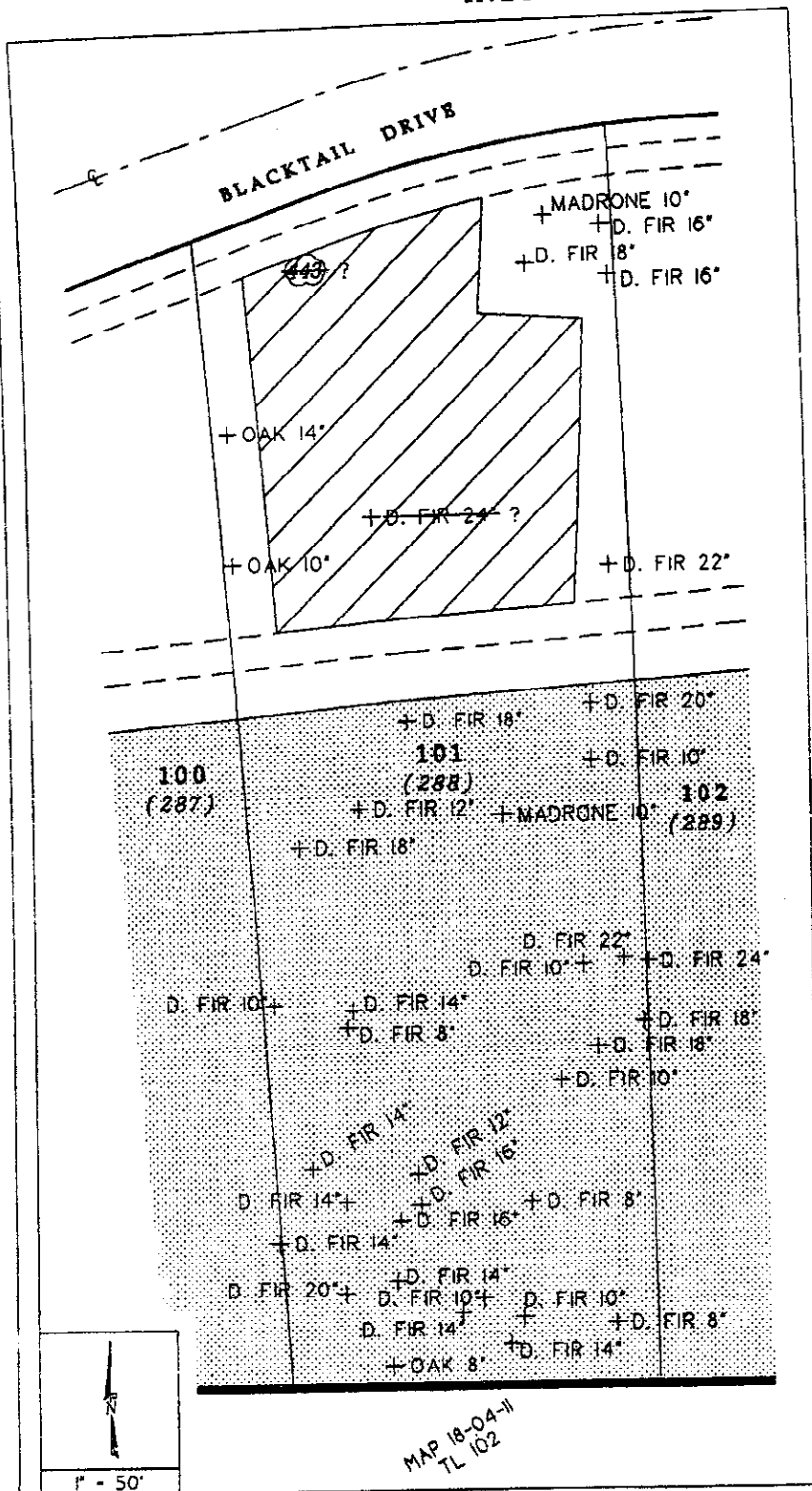
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BRAEWOOD WEST 2ND ADDITION LOT 101 INDIVIDUAL LOT DIAGRAM



LEGEND:

86 LOT # PER FINAL PLAT

(257) LOT # PER FINAL P.U.D. PLANS

----- EASEMENT LINE

+ SINGLE TREE

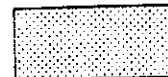


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DISCRETIONARY ZONE (BUILDABLE AREA)



CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

TREE TABLE:

443: 2 - 14' FIR

BUILDABLE AREA:

ONLY WITHIN THIS PORTION OF THE LOT IS CONSTRUCTION OF A RESIDENTIAL DWELLING ALLOWED. ON SOME LOTS, INCLUDED WITHIN THIS BUILDABLE AREA, THERE MAY BE TREES LABELED AS DISCRETIONARY/BUFFER TREES. THE OWNER MAY REMOVE ANY DISCRETIONARY/BUFFER TREES.

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BRAEWOOD WEST 2ND ADDITION LOT 102 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS

--- EASEMENT LINE

+ SINGLE TREE

 TREE CLUSTER OR TREE CANOPY

--- ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED

 DISCRETIONARY ZONE (BUILDABLE AREA)

 CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

BUILDABLE AREA:

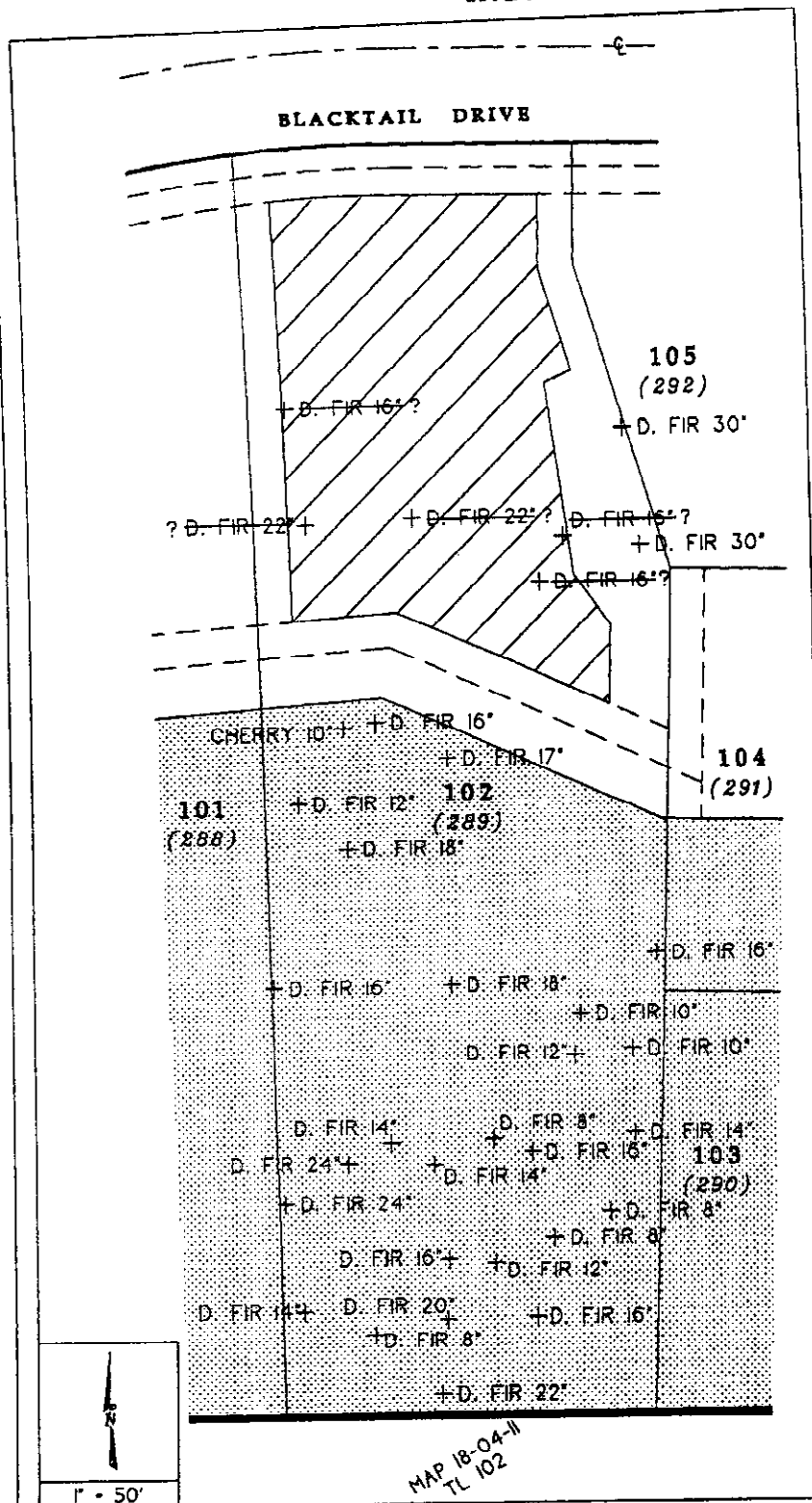
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BRAEWOOD WEST 2ND ADDITION LOT 103 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT # PER FINAL PLAT

(257) LOT # PER FINAL P.U.D. PLANS

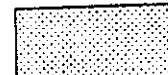
--- EASEMENT LINE

+ SINGLE TREE

 TREE CLUSTER OR TREE CANOPY

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 DISCRETIONARY ZONE (BUILDABLE AREA)

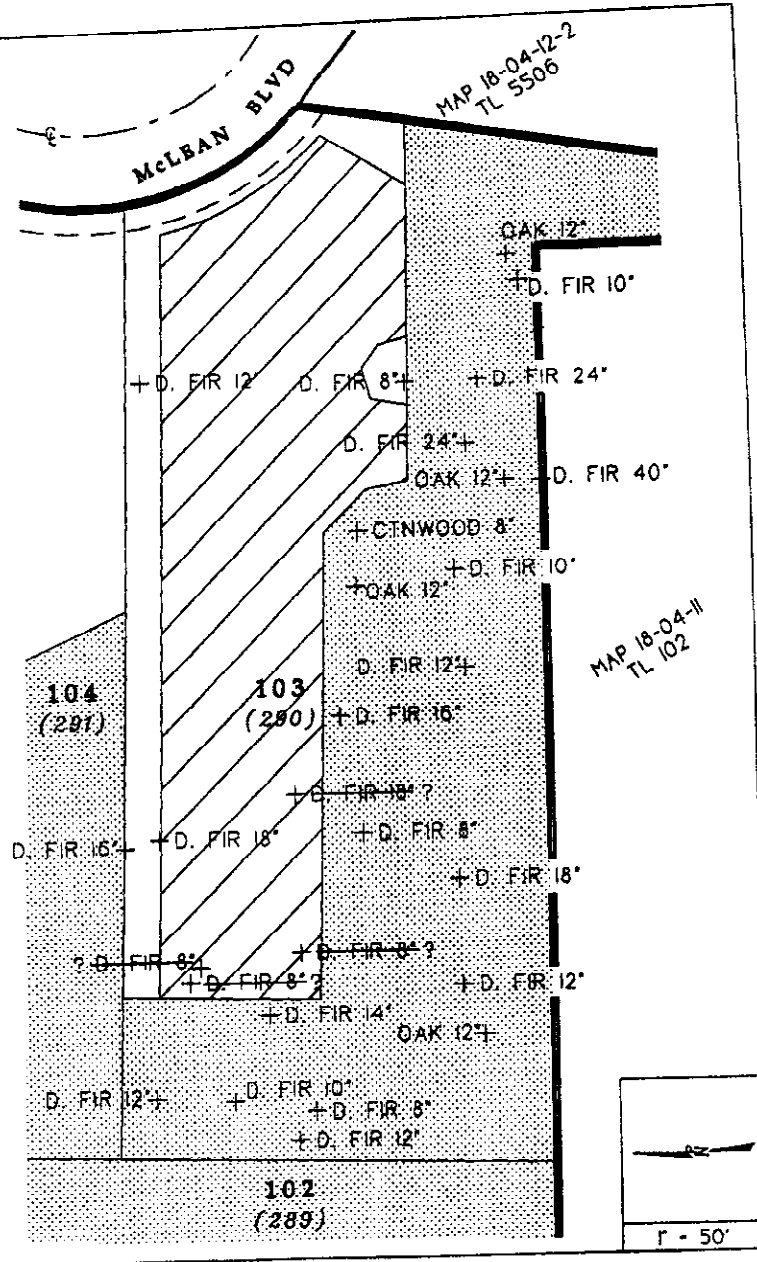
 CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

BUILDABLE AREA:

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BRAEWOOD WEST 2ND ADDITION LOT 104 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS

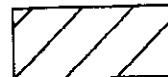
--- EASEMENT LINE

+ SINGLE TREE



TREE CLUSTER OR TREE CANOPY

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DISCRETIONARY ZONE (BUILDABLE AREA)



CONSERVATION ZONE

TREE CLUSTERS:

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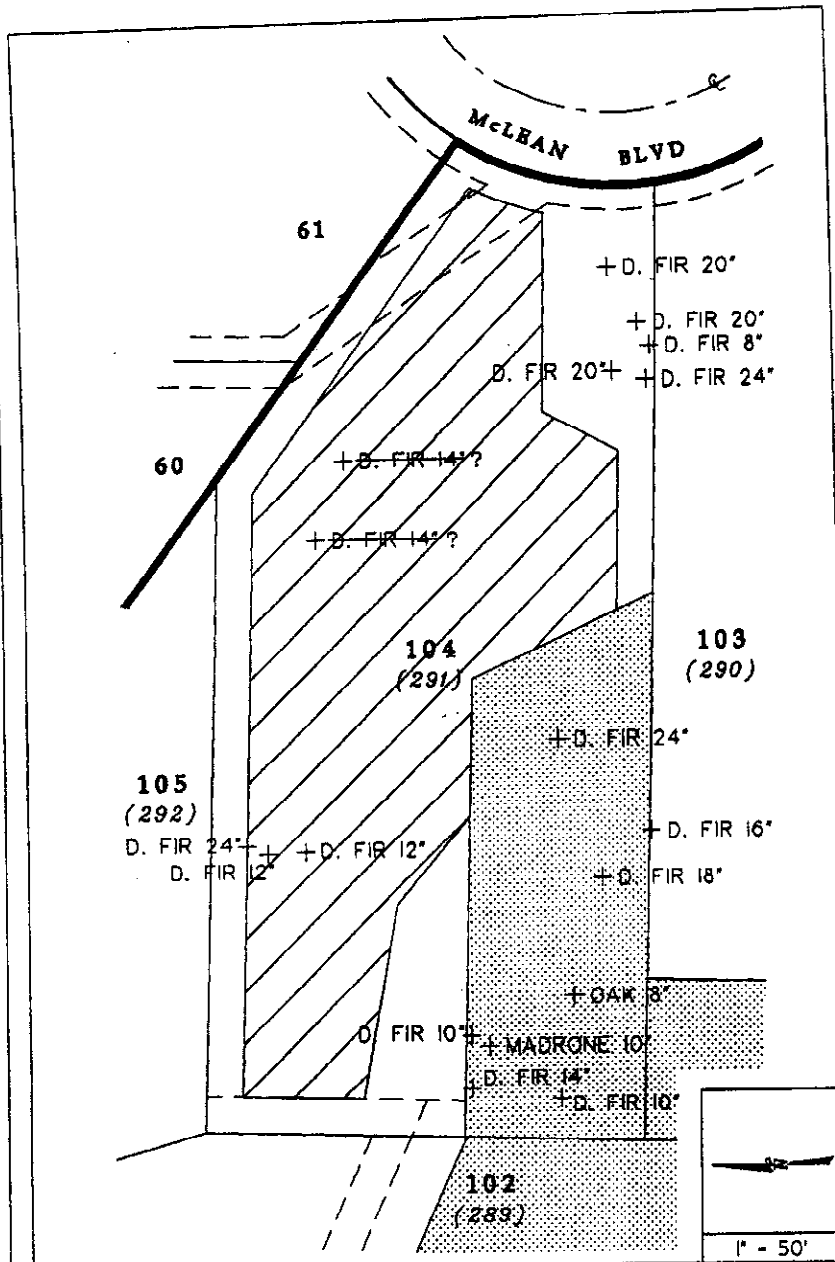
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BRAEWOOD WEST 2ND ADDITION LOT 105 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT # PER FINAL PLAT
(257) LOT # PER FINAL P.U.D. PLANS

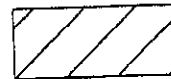
----- EASEMENT LINE

+ SINGLE TREE



TREE CLUSTER OR TREE CANOPY

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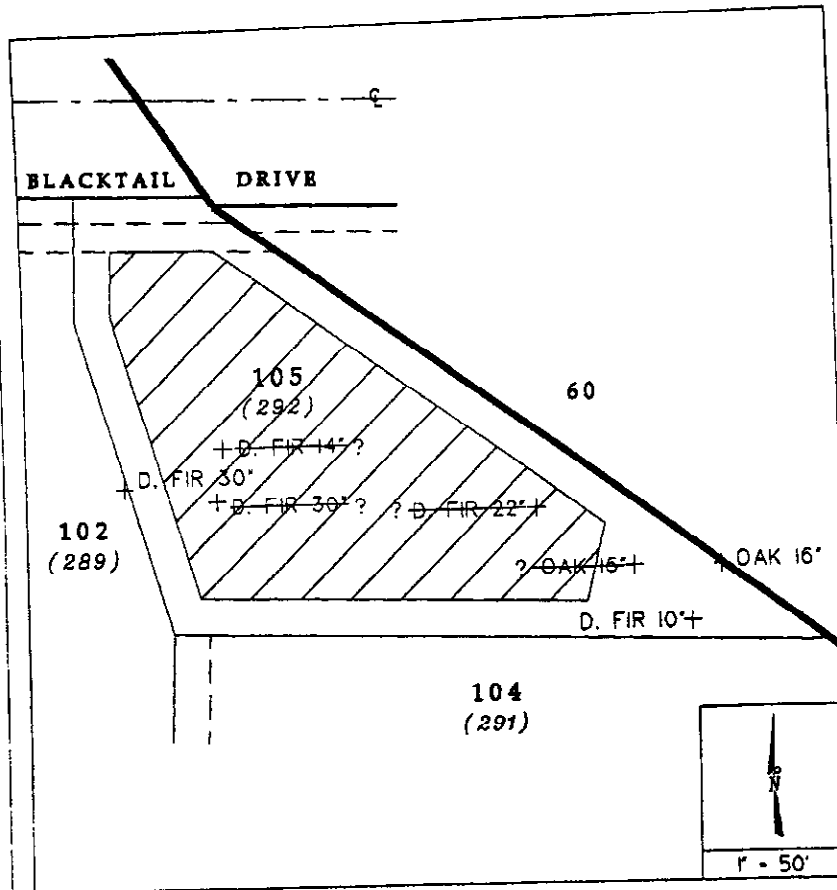
DISCRETIONARY ZONE
(BUILDABLE AREA)



CONSERVATION ZONE

TREE CLUSTERS:

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BRAEWOOD WEST 2ND ADDITION LOT 106 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT
(257) LOT * PER FINAL P.U.D. PLANS


--- EASEMENT LINE

+ SINGLE TREE

 TREE CLUSTER OR TREE CANOPY

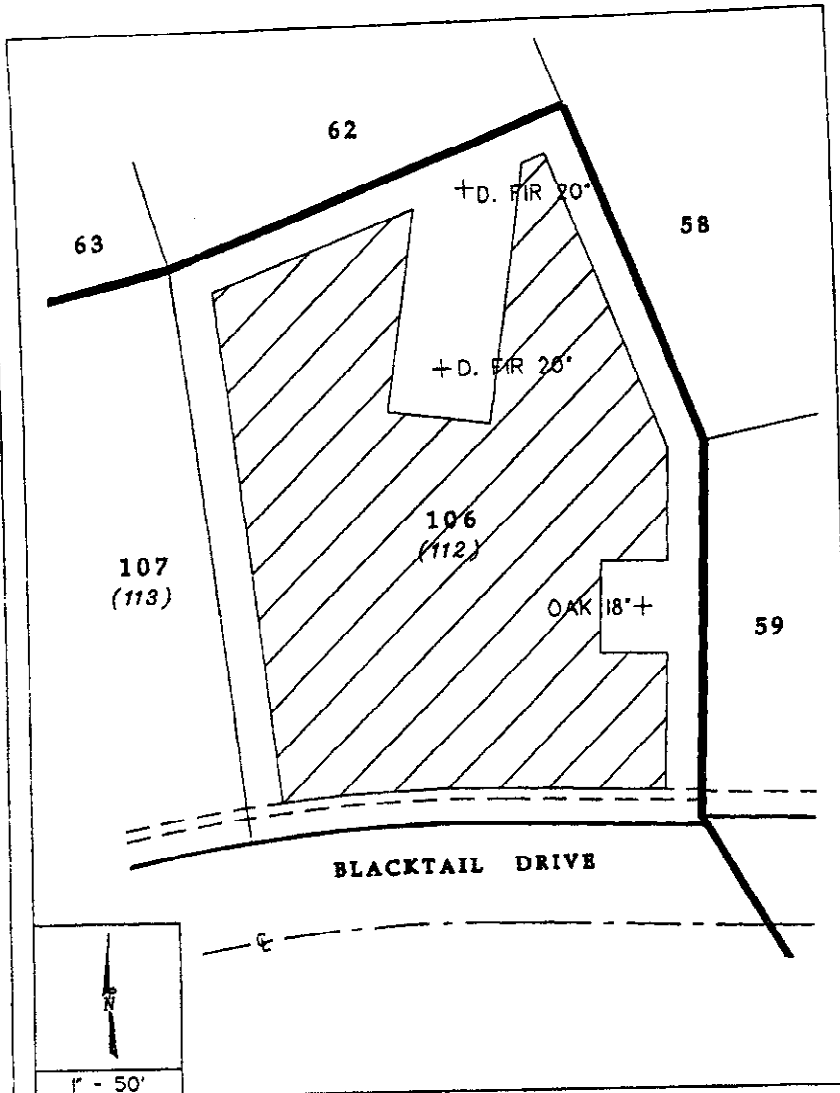
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 DISCRETIONARY ZONE (BUILDABLE AREA)

 CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.



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BRAEWOOD WEST 2ND ADDITION LOT 107 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT
(257) LOT * PER FINAL P.U.D. PLANS

----- EASEMENT LINE

+ SINGLE TREE

☁ TREE CLUSTER OR TREE CANOPY

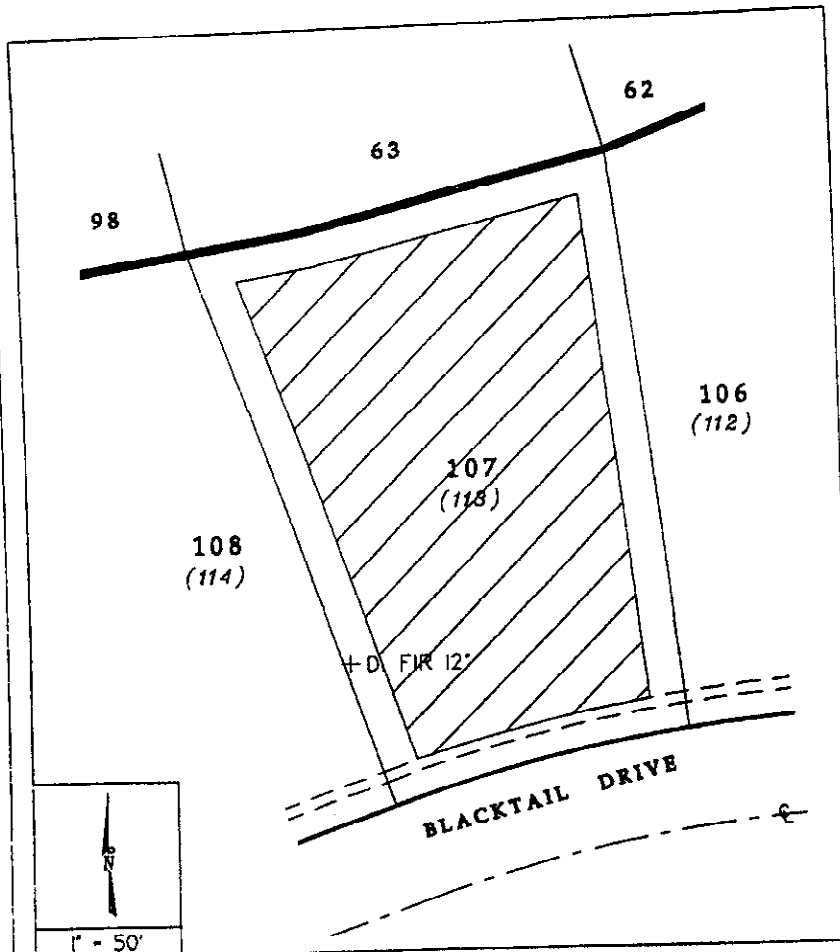
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BRAEWOOD WEST 2ND ADDITION LOT 108 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT
(257) LOT * PER FINAL P.U.D. PLANS

----- EASEMENT LINE

+ SINGLE TREE

 TREE CLUSTER OR TREE CANOPY

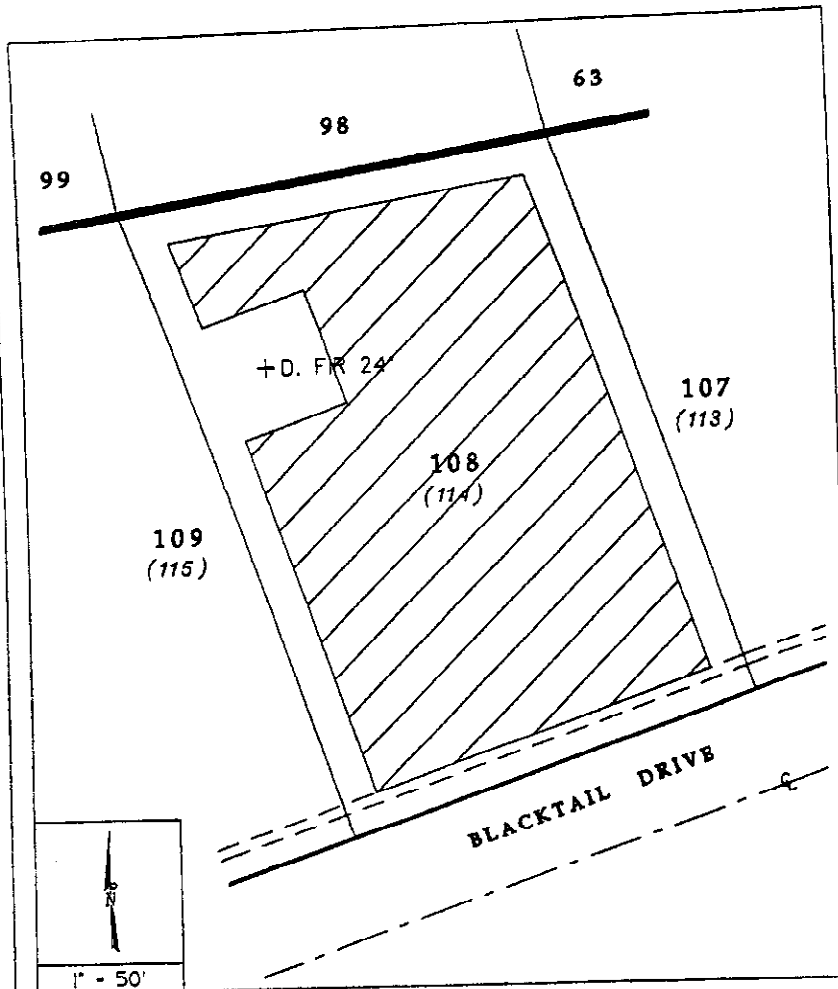
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BRAEWOOD WEST 2ND ADDITION LOT 109 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT # PER FINAL PLAT

(257) LOT # PER FINAL P.U.D. PLANS

----- EASEMENT LINE

+ SINGLE TREE

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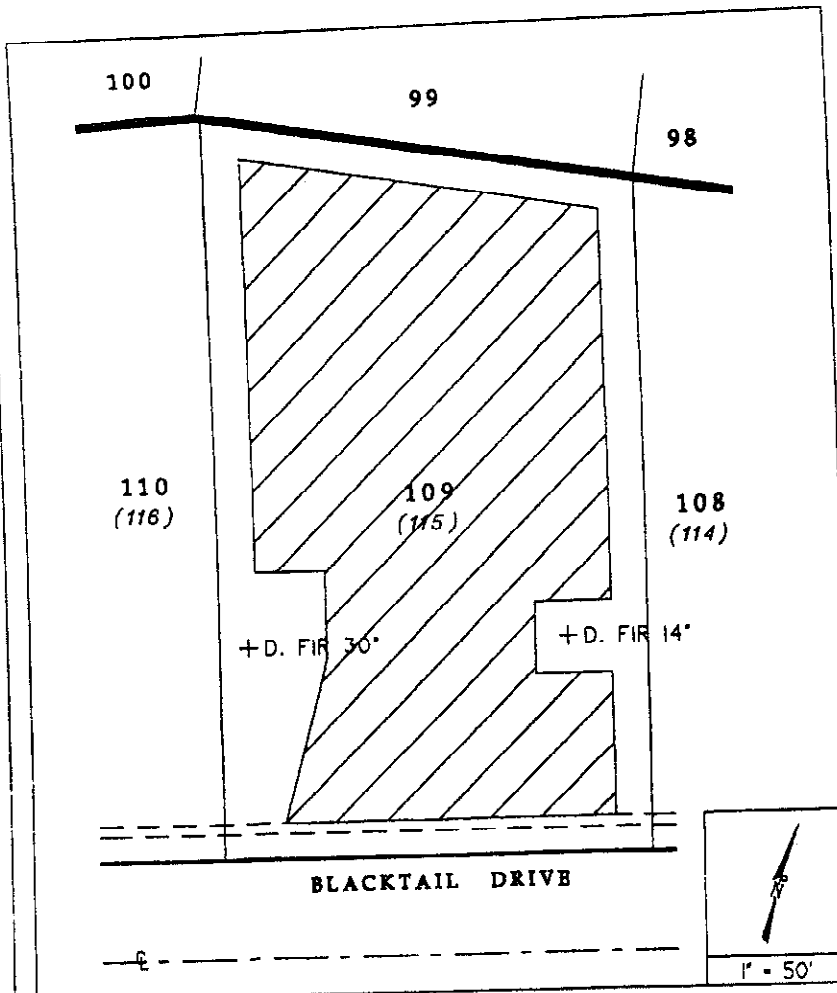
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BRAEWOOD WEST 2ND ADDITION LOT 110 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS

----- EASEMENT LINE

+ SINGLE TREE

 TREE CLUSTER OR TREE CANOPY

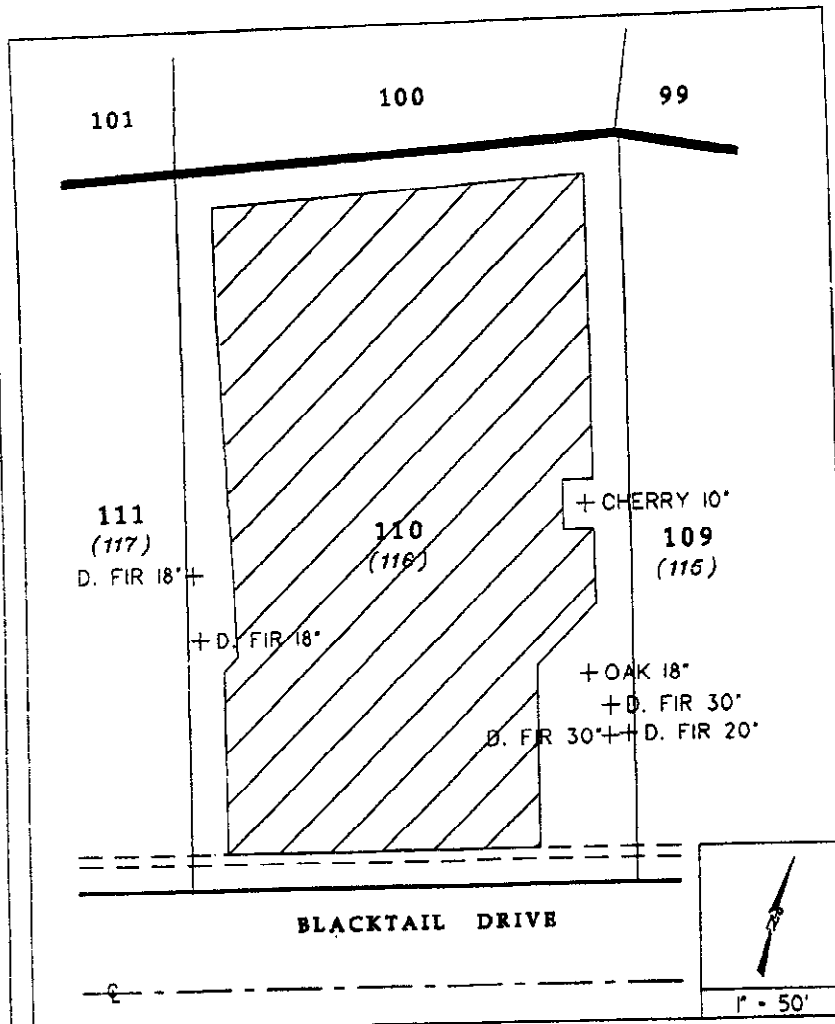
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BRAEWOOD WEST 2ND ADDITION LOT 111 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS

--- EASEMENT LINE

+ SINGLE TREE

 TREE CLUSTER OR TREE CANOPY

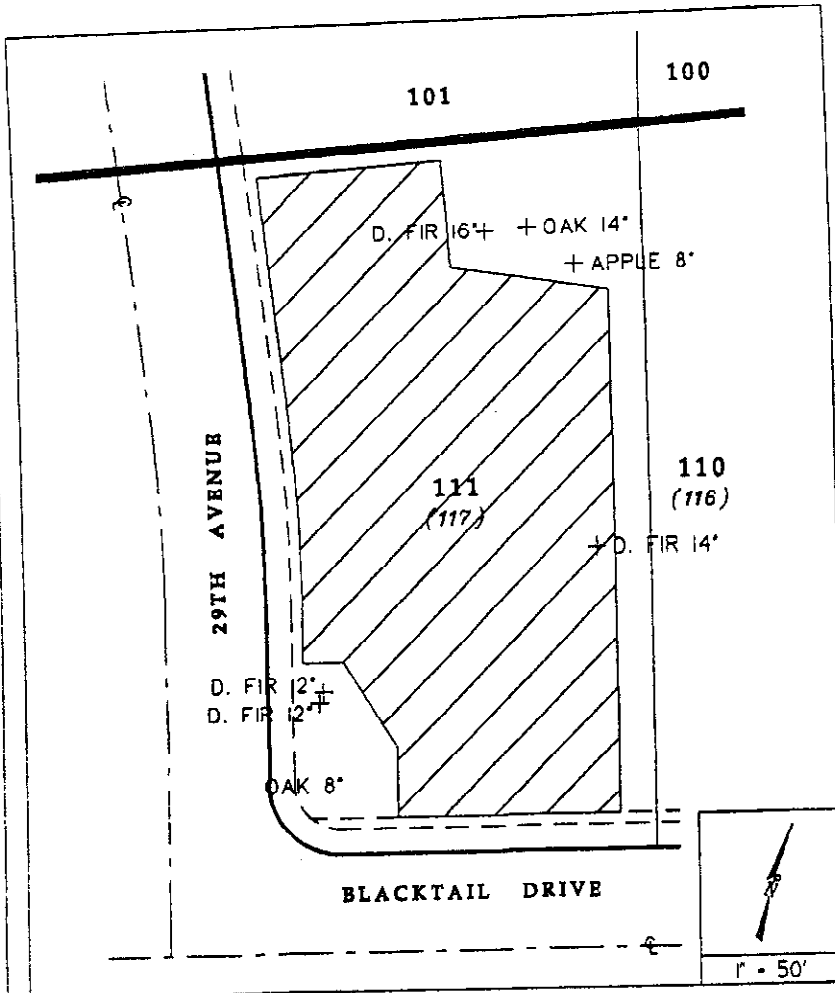
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BRAEWOOD WEST 2ND ADDITION LOT 112 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS

--- EASEMENT LINE

+ SINGLE TREE

☁ TREE CLUSTER OR TREE CANOPY

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 DISCRETIONARY ZONE (BUILDABLE AREA)

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BUILDABLE AREA:

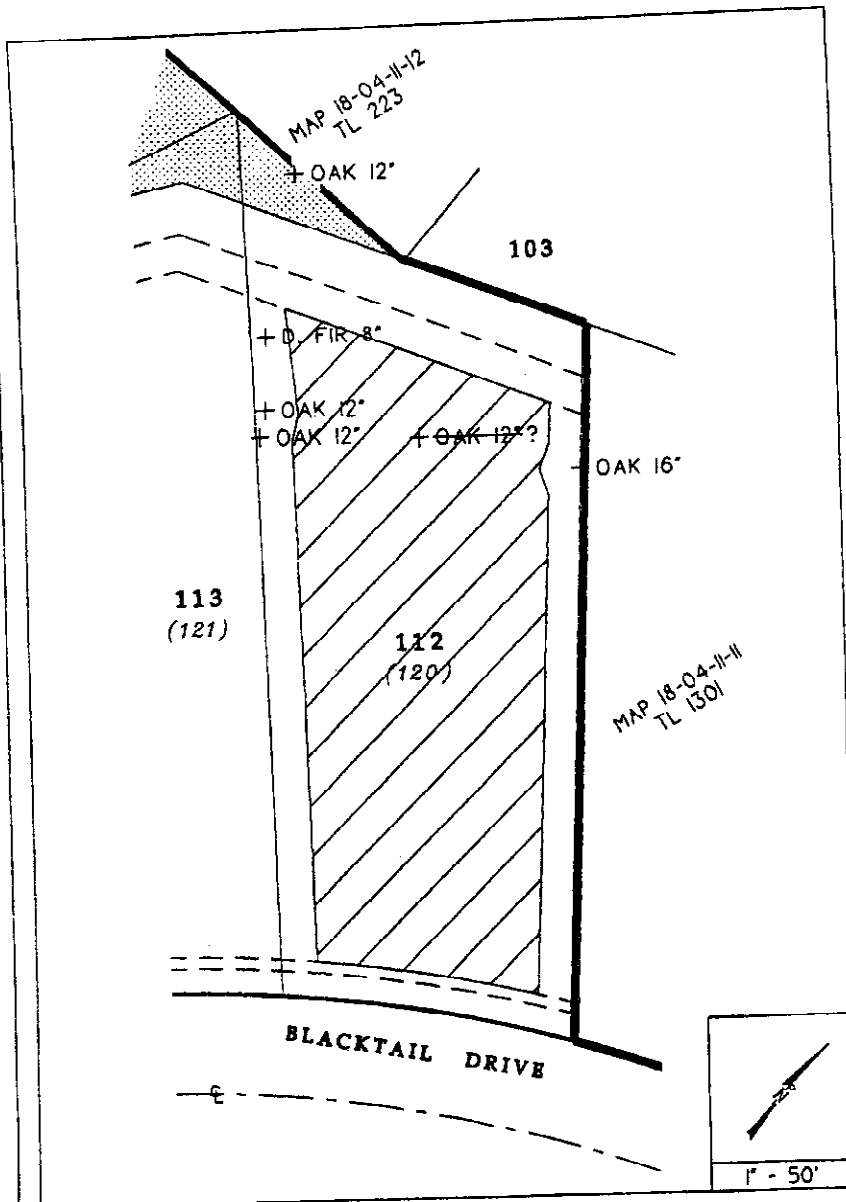
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BRAEWOOD WEST 2ND ADDITION LOT 113 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS

----- EASEMENT LINE

+ SINGLE TREE

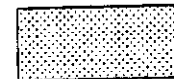


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DISCRETIONARY ZONE
(BUILDABLE AREA)



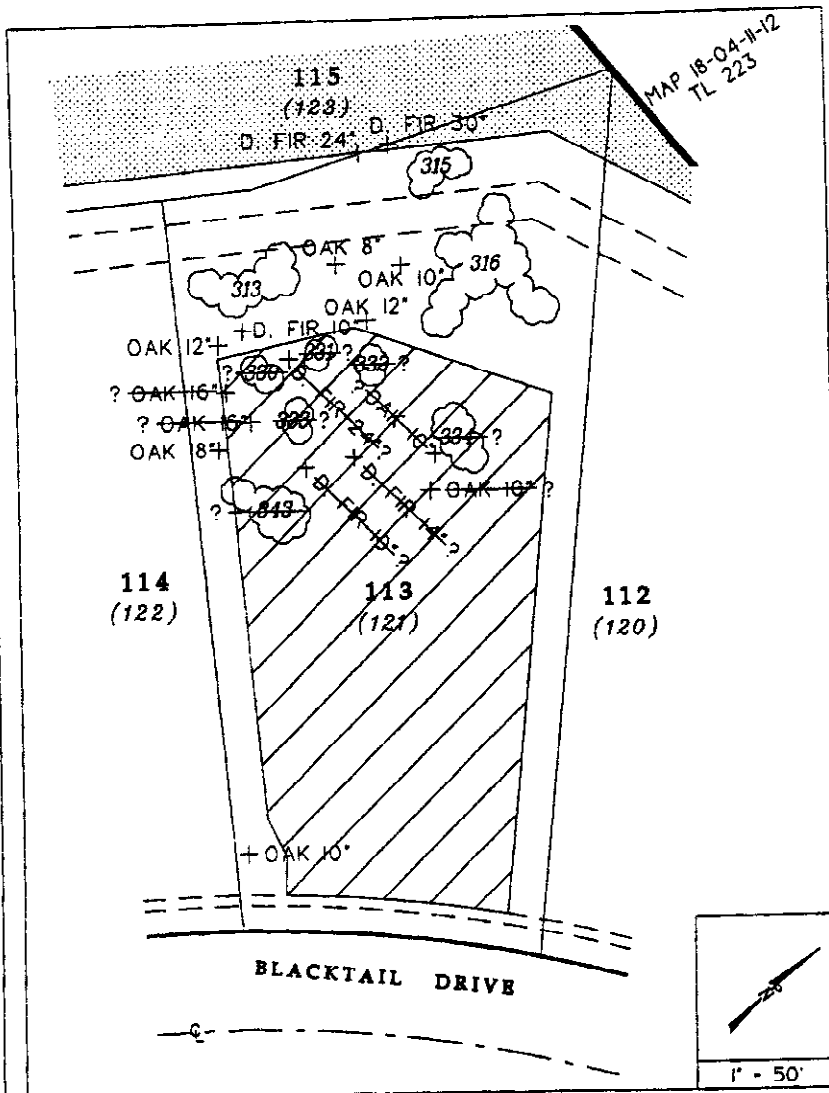
CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

TREE TABLE:

330: 1 - 10" OAK 1 - 24" FIR	331: 2 - 8" OAK
332: 1 - 14" OAK 1 - 18" OAK	333: 2 - 12" OAK
334: 2 - 8" OAK 1 - 12" OAK	343: 3 - 10" OAK 1 - 14" OAK 1 - 24" OAK 1 - 10" FIR 1 - 24" FIR



BUILDABLE AREA:

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BRAEWOOD WEST 2ND ADDITION

LOT 114

INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS


----- EASEMENT LINE

+ SINGLE TREE

☁ TREE CLUSTER OR TREE CANOPY

— ? —
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 DISCRETIONARY ZONE (BUILDABLE AREA)

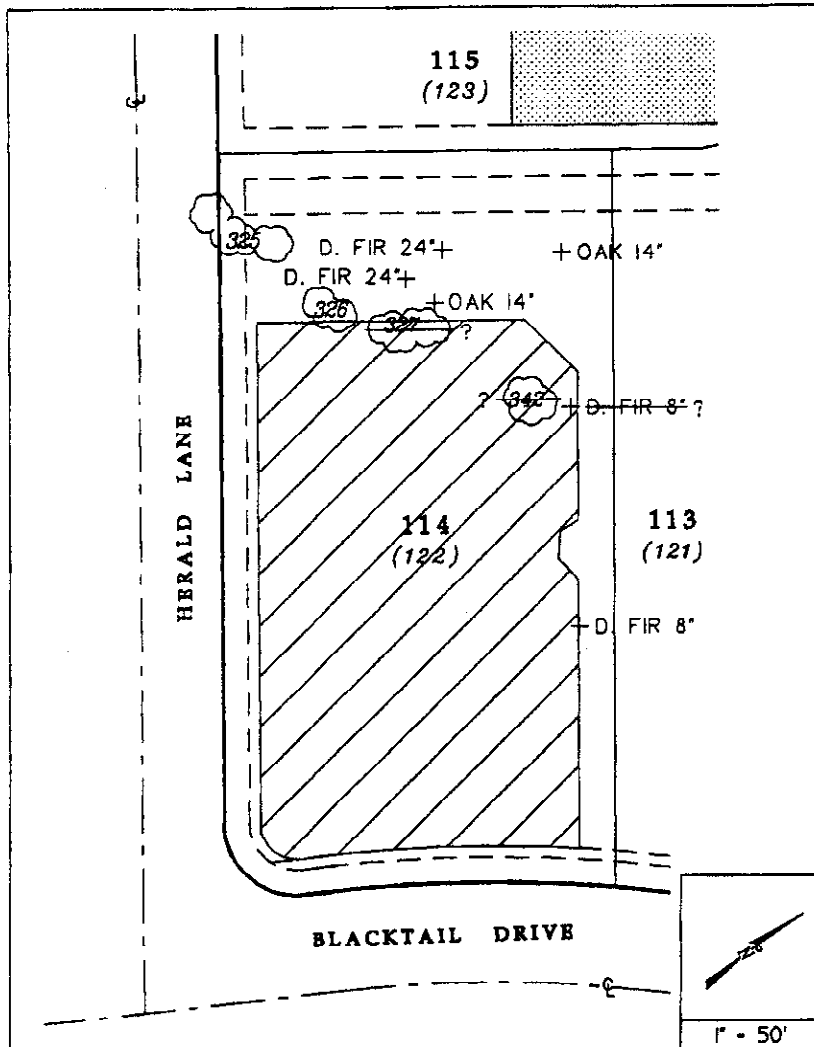
 CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

TREE TABLE:

327: 2 - 10" OAK	342: 4 - 12" OAK
3 - 14" OAK	
1 - 20" FR	



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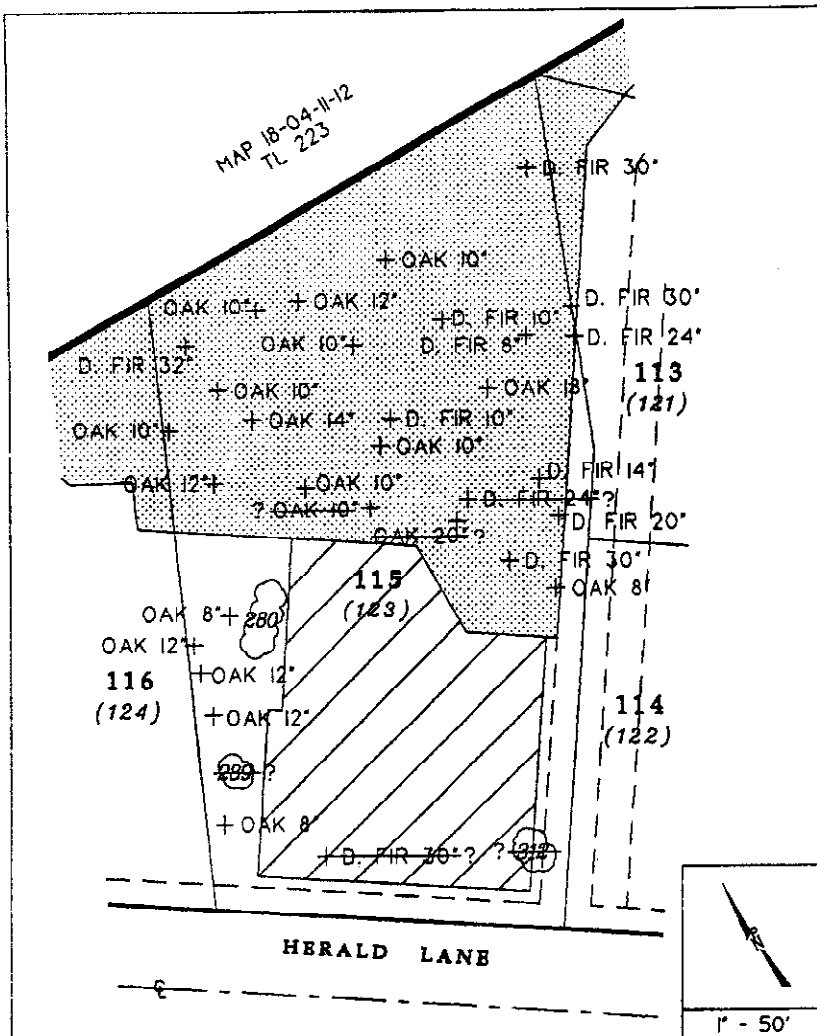
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BRAEWOOD WEST 2ND ADDITION LOT 115 INDIVIDUAL LOT DIAGRAM



LEGEND:

- 86 LOT # PER FINAL PLAT
- (257) LOT # PER FINAL P.U.D. PLANS
- EASEMENT LINE
- + SINGLE TREE
- TREE CLUSTER OR TREE CANOPY
- ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED
- DISCRETIONARY ZONE (BUILDABLE AREA)
- CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

TREE TABLE:

289: 1 - 18" FIR	312: 1 - 8" FIR
1 - 30" FIR	

BUILDABLE AREA:

ONLY WITHIN THIS PORTION OF THE LOT IS CONSTRUCTION OF A RESIDENTIAL DWELLING ALLOWED. ON SOME LOTS, INCLUDED WITHIN THIS BUILDABLE AREA, THERE MAY BE TREES LABELED AS DISCRETIONARY/BUFFER TREES. THE OWNER MAY REMOVE ANY DISCRETIONARY/BUFFER TREES.

RESTRICTED TREE REMOVAL:




ALL TREES OUTSIDE THE BUILDABLE AREA ARE TO BE PRESERVED. NO TREE LOCATED OUTSIDE A BUILDABLE AREA MAY BE REMOVED EXCEPT UNDER THE FOLLOWING CONDITIONS: A TREE WHICH IS DEAD, DISEASED, DYING DANGEROUS, HAZARDOUS OR OTHERWISE A THREAT TO THE WELFARE OR SAFETY OF THE PUBLIC OR THE OCCUPANT OF THE LOT MAY BE REMOVED ONLY AFTER A WRITTEN REPORT PREPARED BY A CERTIFIED ARBORIST IS APPROVED BY THE CITY OF EUGENE PLANNING DIVISION. TREE CLUSTERS CONTAINING TREES THAT MAY BE REMOVED ARE IDENTIFIED ON THE ABOVE PLAN BY NUMBER AND FURTHER EXAMINED ABOVE AS TO WHICH TREES WITHIN THE CLUSTER MAY BE REMOVED AND WHICH MUST NOT BE REMOVED.

CONSERVATION ZONES:

CERTAIN LOTS HAVE AREAS WITH CONSERVATION ZONE OVERLAYS. THE PURPOSE OF CONSERVATION ZONES IS TO PRESERVE THE NATURAL CHARACTER OF THE AREA. FENCES CONSISTENT WITH THOSE APPROVED IN THE CC&R'S ARE ALLOWED WITHIN CONSERVATION ZONES ON PRIVATELY OWNED LOTS. NO LANDSCAPING IS PERMITTED TO BE CONSTRUCTED IN AREAS DESIGNATED AS CONSERVATION ZONES. OWNERS MAY REMOVE NON-NATIVE, INVASIVE SPECIES SUCH AS BLACKBERRY BUSHES, POISON IVY, ENGLISH IVY, AND SCOTCH BROOM FROM A CONSERVATION ZONE ON A PRIVATELY OWNED LOT AND OTHERWISE MAINTAIN THE CONSERVATION ZONE.

BRAEWOOD WEST 2ND ADDITION LOT 116 INDIVIDUAL LOT DIAGRAM

LEGEND:

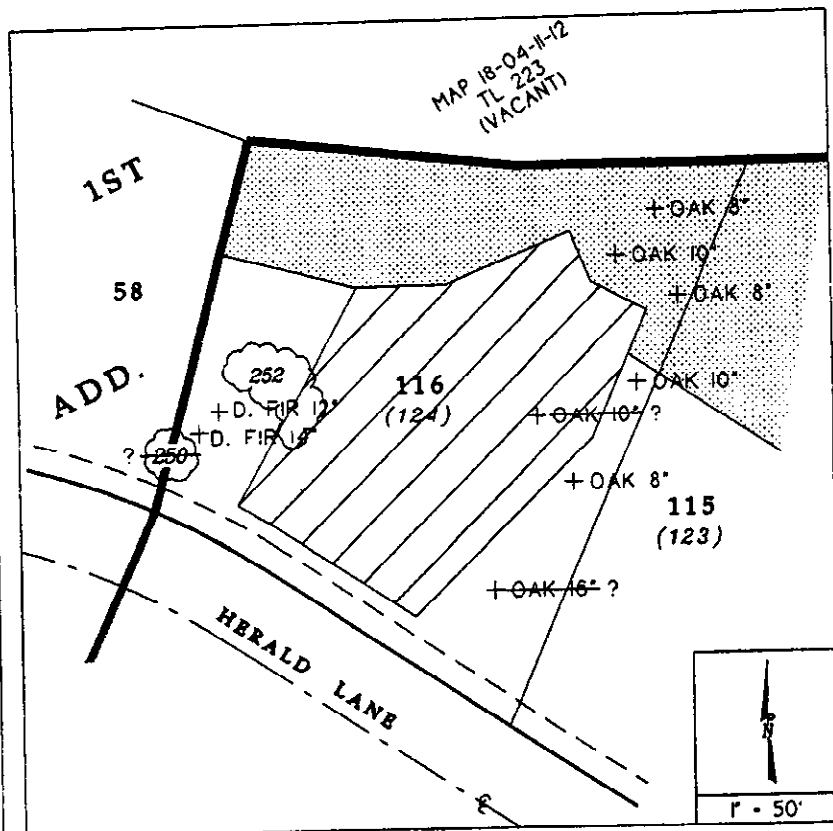
- 86 LOT * PER FINAL PLAT
- (257) LOT * PER FINAL P.U.D. PLANS
- EASEMENT LINE
- + SINGLE TREE
-  TREE CLUSTER OR TREE CANOPY
- ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED
-  DISCRETIONARY ZONE (BUILDABLE AREA)
-  CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

TREE TABLE:

250: 2 - 12" OAK



BUILDABLE AREA:

ONLY WITHIN THIS PORTION OF THE LOT IS CONSTRUCTION OF A RESIDENTIAL DWELLING ALLOWED. ON SOME LOTS, INCLUDED WITHIN THIS BUILDABLE AREA, THERE MAY BE TREES LABELED AS DISCRETIONARY/BUFFER TREES. THE OWNER MAY REMOVE ANY DISCRETIONARY/BUFFER TREES.

RESTRICTED TREE REMOVAL:

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BRAEWOOD WEST 2ND ADDITION

LOT 117

INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT # PER FINAL PLAT

(257) LOT # PER FINAL P.U.D. PLANS

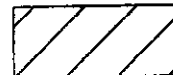
--- EASEMENT LINE

+ SINGLE TREE

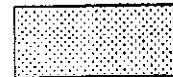


TREE CLUSTER OR TREE CANOPY

— ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED



DISCRETIONARY ZONE (BUILDABLE AREA)



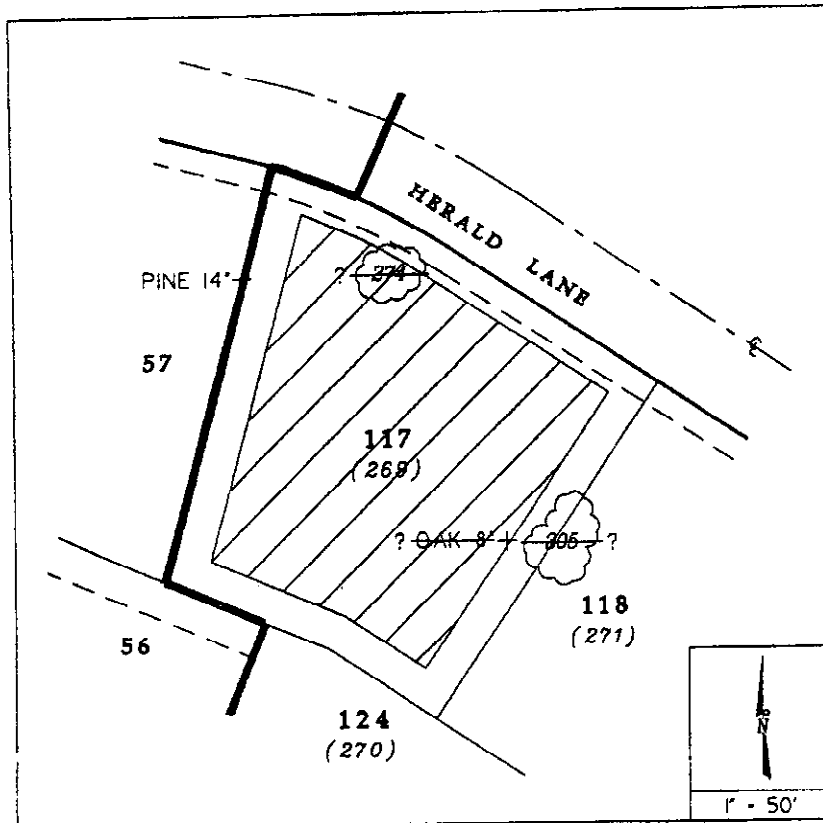
CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

TREE TABLE:

274: 1 - 8' OAK	305: 3 - 8' OAK
4 - 10' OAK	1 - 10' OAK
2 - 12' OAK	1 - 12' OAK
1 - 14' OAK	2 - 24' OAK
1 - 18' OAK	



BUILDABLE AREA:

ONLY WITHIN THIS PORTION OF THE LOT IS CONSTRUCTION OF A RESIDENTIAL DWELLING ALLOWED. ON SOME LOTS, INCLUDED WITHIN THIS BUILDABLE AREA, THERE MAY BE TREES LABELED AS DISCRETIONARY/BUFFER TREES. THE OWNER MAY REMOVE ANY DISCRETIONARY/BUFFER TREES.

RESTRICTED TREE REMOVAL:

ALL TREES OUTSIDE THE BUILDABLE AREA ARE TO BE PRESERVED. NO TREE LOCATED OUTSIDE A BUILDABLE AREA MAY BE REMOVED EXCEPT UNDER THE FOLLOWING CONDITIONS: A TREE WHICH IS DEAD, DISEASED, DYING DANGEROUS, HAZARDOUS OR OTHERWISE A THREAT TO THE WELFARE OR SAFETY OF THE PUBLIC OR THE OCCUPANT OF THE LOT MAY BE REMOVED ONLY AFTER A WRITTEN REPORT PREPARED BY A CERTIFIED ARBORIST IS APPROVED BY THE CITY OF EUGENE PLANNING DIVISION. TREE CLUSTERS CONTAINING TREES THAT MAY BE REMOVED ARE IDENTIFIED ON THE ABOVE PLAN BY NUMBER AND FURTHER EXAMINED ABOVE AS TO WHICH TREES WITHIN THE CLUSTER MAY BE REMOVED AND WHICH MUST NOT BE REMOVED.

CONSERVATION ZONES:

CERTAIN LOTS HAVE AREAS WITH CONSERVATION ZONE OVERLAYS. THE PURPOSE OF CONSERVATION ZONES IS TO PRESERVE THE NATURAL CHARACTER OF THE AREA. FENCES CONSISTENT WITH THOSE APPROVED IN THE CC&R'S ARE ALLOWED WITHIN CONSERVATION ZONES ON PRIVATELY OWNED LOTS. NO LANDSCAPING IS PERMITTED TO BE CONSTRUCTED IN AREAS DESIGNATED AS CONSERVATION ZONES. OWNERS MAY REMOVE NON-NATIVE, INVASIVE SPECIES SUCH AS BLACKBERRY BUSHES, POISON IVY, ENGLISH IVY, AND SCOTCH BROOM FROM A CONSERVATION ZONE ON A PRIVATELY OWNED LOT AND OTHERWISE MAINTAIN THE CONSERVATION ZONE.

BRAEWOOD WEST 2ND ADDITION LOT 118 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS


----- EASEMENT LINE

+ SINGLE TREE

 TREE CLUSTER OR TREE CANOPY

----- ?
DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED

 DISCRETIONARY ZONE (BUILDABLE AREA)

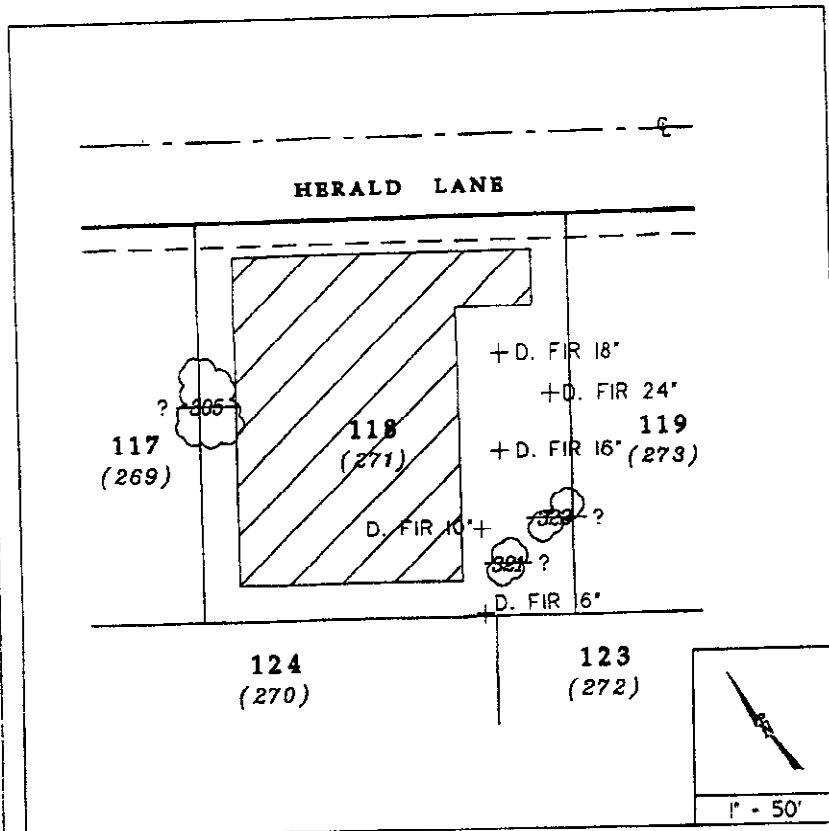
 CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

TREE TABLE:

305: 3 - 8" OAK	321: 1 - 10" FIR
1 - 10" OAK	1 - 16" FIR
1 - 12" OAK	
2 - 24" OAK	
322: 1 - 10" FIR	
1 - 18" FIR	



BUILDABLE AREA:

ONLY WITHIN THIS PORTION OF THE LOT IS CONSTRUCTION OF A RESIDENTIAL DWELLING ALLOWED. ON SOME LOTS, INCLUDED WITHIN THIS BUILDABLE AREA, THERE MAY BE TREES LABELED AS DISCRETIONARY/BUFFER TREES. THE OWNER MAY REMOVE ANY DISCRETIONARY/BUFFER TREES.

RESTRICTED TREE REMOVAL:

ALL TREES OUTSIDE THE BUILDABLE AREA ARE TO BE PRESERVED. NO TREE LOCATED OUTSIDE A BUILDABLE AREA MAY BE REMOVED EXCEPT UNDER THE FOLLOWING CONDITIONS: A TREE WHICH IS DEAD, DISEASED, DYING DANGEROUS, HAZARDOUS OR OTHERWISE A THREAT TO THE WELFARE OR SAFETY OF THE PUBLIC OR THE OCCUPANT OF THE LOT MAY BE REMOVED ONLY AFTER A WRITTEN REPORT PREPARED BY A CERTIFIED ARBORIST IS APPROVED BY THE CITY OF EUGENE PLANNING DIVISION. TREE CLUSTERS CONTAINING TREES THAT MAY BE REMOVED ARE IDENTIFIED ON THE ABOVE PLAN BY NUMBER AND FURTHER EXAMINED ABOVE AS TO WHICH TREES WITHIN THE CLUSTER MAY BE REMOVED AND WHICH MUST NOT BE REMOVED.

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BRAEWOOD WEST 2ND ADDITION LOT 119 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS

--- EASEMENT LINE

+ SINGLE TREE

 TREE CLUSTER OR TREE CANOPY

— ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED

 DISCRETIONARY ZONE (BUILDABLE AREA)

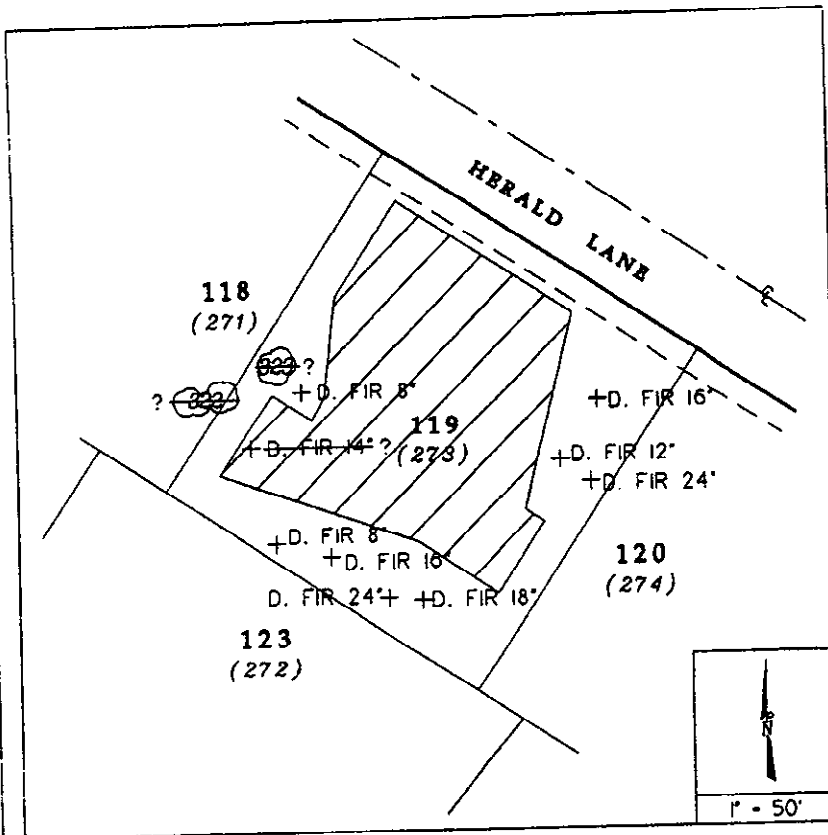
 CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

TREE TABLE:

322: 1 - 10' FIR	323: 1 - 20' FIR
1 - 18' FIR	1 - 24' FIR



BUILDABLE AREA:

ONLY WITHIN THIS PORTION OF THE LOT IS CONSTRUCTION OF A RESIDENTIAL DWELLING ALLOWED. ON SOME LOTS, INCLUDED WITHIN THIS BUILDABLE AREA, THERE MAY BE TREES LABELED AS DISCRETIONARY/BUFFER TREES. THE OWNER MAY REMOVE ANY DISCRETIONARY/BUFFER TREES.

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BRAEWOOD WEST 2ND ADDITION

LOT 120

INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT * PER FINAL PLAT

(257) LOT * PER FINAL P.U.D. PLANS

--- EASEMENT LINE

+ SINGLE TREE

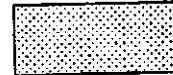


TREE CLUSTER OR TREE CANOPY

--- ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED



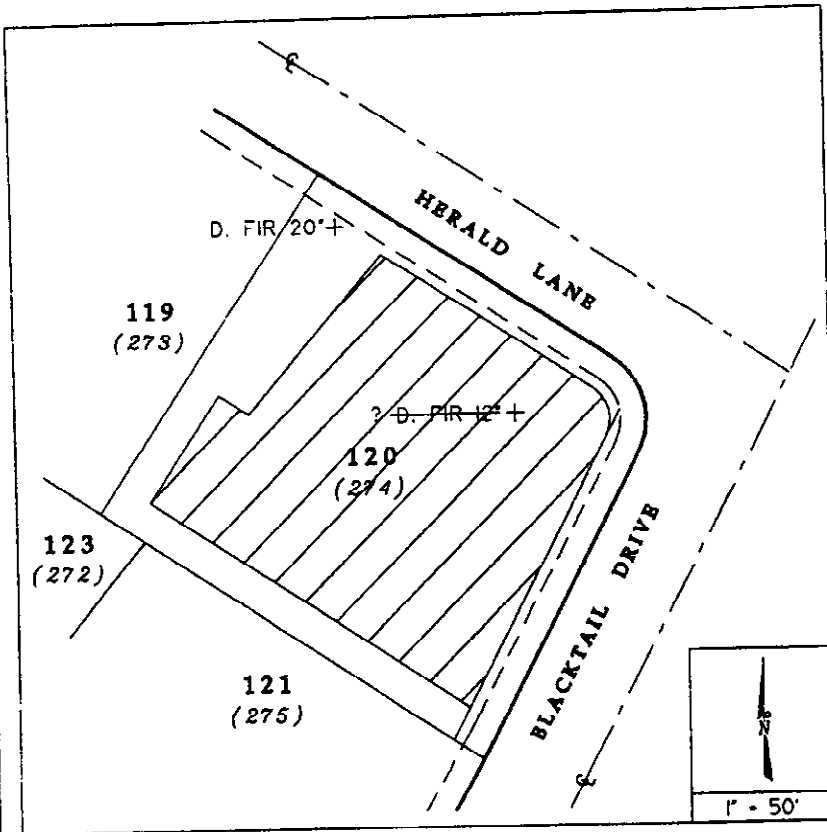
DISCRETIONARY ZONE (BUILDABLE AREA)



CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.



BUILDABLE AREA:

ONLY WITHIN THIS PORTION OF THE LOT IS CONSTRUCTION OF A RESIDENTIAL DWELLING ALLOWED. ON SOME LOTS, INCLUDED WITHIN THIS BUILDABLE AREA, THERE MAY BE TREES LABELED AS DISCRETIONARY/BUFFER TREES. THE OWNER MAY REMOVE ANY DISCRETIONARY/BUFFER TREES.

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BRAEWOOD WEST 2ND ADDITION

LOT 121

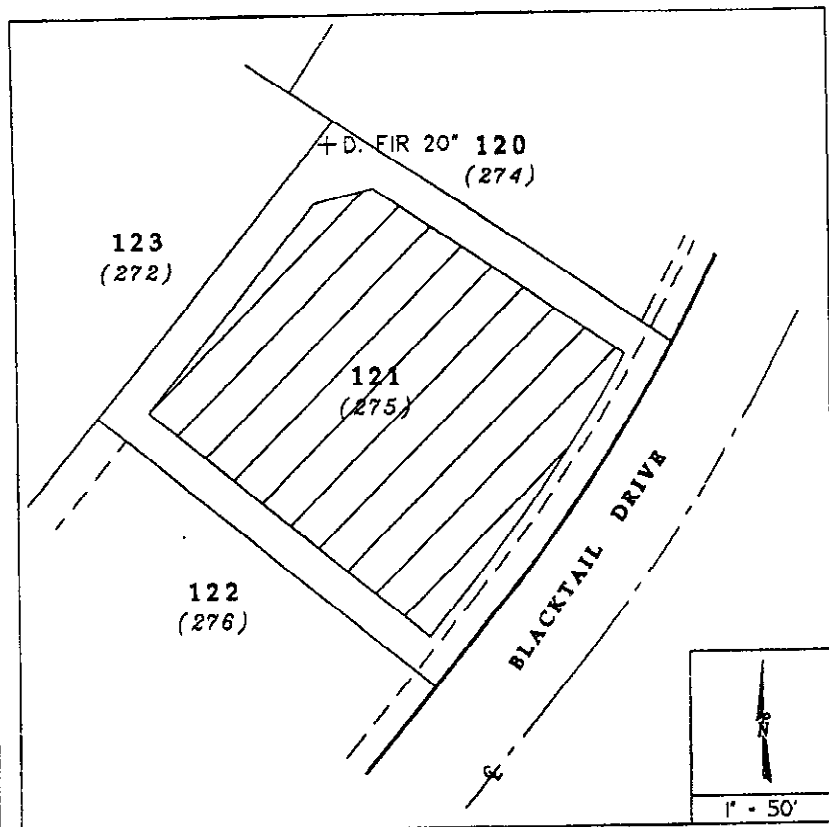
INDIVIDUAL LOT DIAGRAM

LEGEND:

- 86 LOT * PER FINAL PLAT
- (257) LOT * PER FINAL P.U.D. PLANS
- EASEMENT LINE
- + SINGLE TREE
-  TREE CLUSTER OR TREE CANOPY
- ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED
-  DISCRETIONARY ZONE (BUILDABLE AREA)
-  CONSERVATION ZONE

TREE CLUSTERS:

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BUILDABLE AREA:

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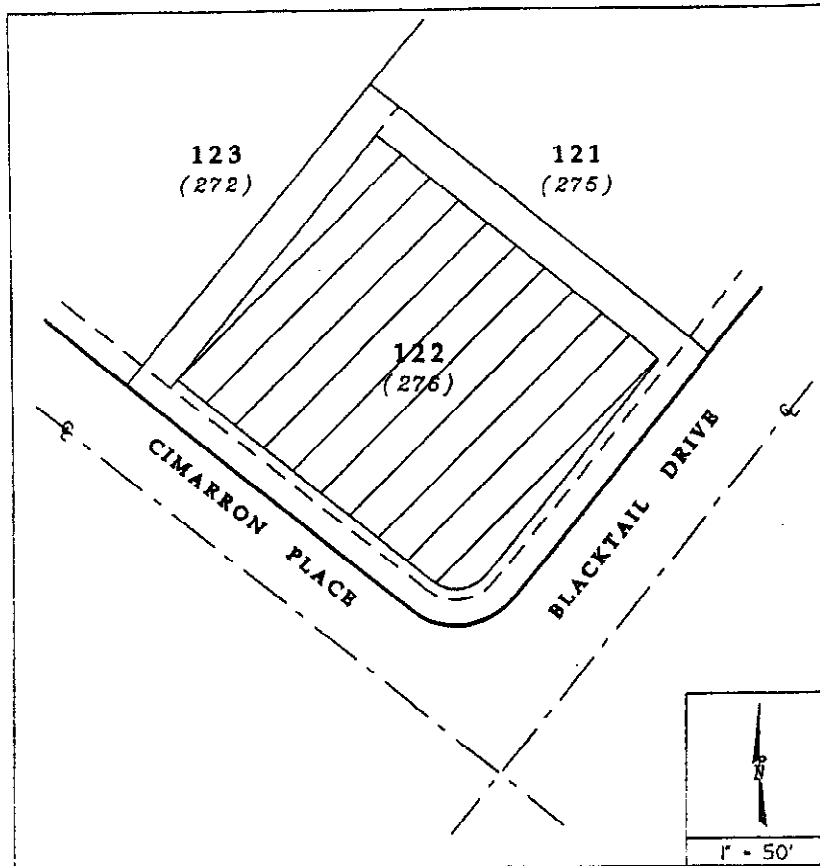
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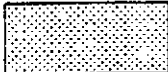
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**BRAEWOOD WEST 2ND ADDITION
LOT 122
INDIVIDUAL LOT DIAGRAM**



LEGEND:

- 86 LOT # PER FINAL PLAT
- (257) LOT # PER FINAL P.U.D. PLANS
- EASEMENT LINE
- + SINGLE TREE
-  TREE CLUSTER OR TREE CANOPY
- ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED
-  DISCRETIONARY ZONE (BUILDABLE AREA)
-  CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

BUILDABLE AREA:

ONLY WITHIN THIS PORTION OF THE LOT IS CONSTRUCTION OF A RESIDENTIAL DWELLING ALLOWED. ON SOME LOTS, INCLUDED WITHIN THIS BUILDABLE AREA, THERE MAY BE TREES LABELED AS DISCRETIONARY/BUFFER TREES. THE OWNER MAY REMOVE ANY DISCRETIONARY/BUFFER TREES.

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CONSERVATION ZONES:



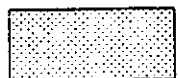
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BRAEWOOD WEST 2ND ADDITION

LOT 123

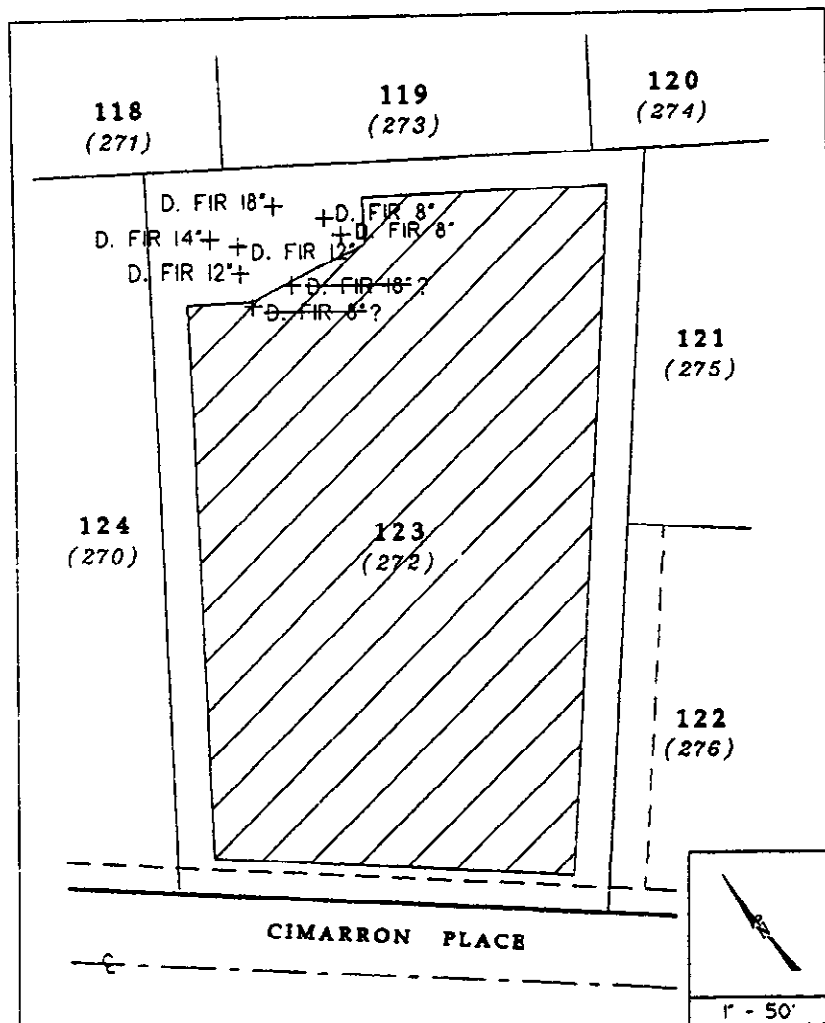
INDIVIDUAL LOT DIAGRAM

LEGEND:

- 86 LOT # PER FINAL PLAT
(257) LOT # PER FINAL P.U.D. PLANS
- EASEMENT LINE
- + SINGLE TREE
-  TREE CLUSTER OR TREE CANOPY
- ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED
-  DISCRETIONARY ZONE (BUILDABLE AREA)
-  CONSERVATION ZONE

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BUILDABLE AREA:

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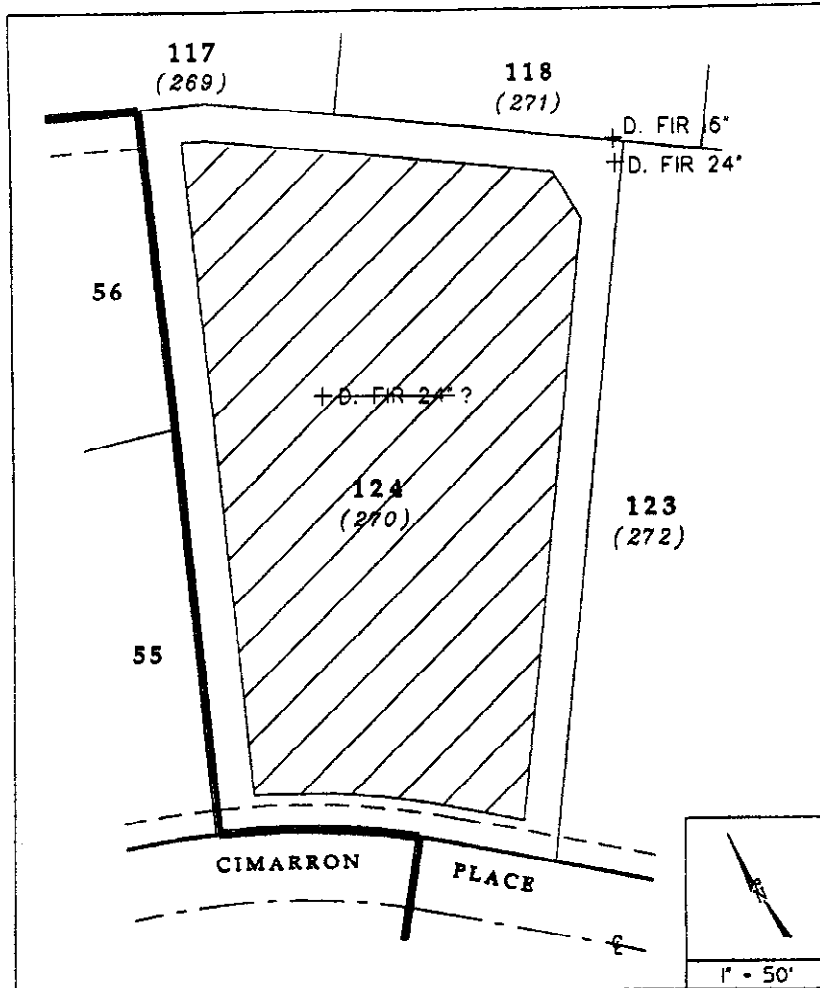
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BRAEWOOD WEST 2ND ADDITION LOT 124 INDIVIDUAL LOT DIAGRAM



LEGEND:

- 86 LOT # PER FINAL PLAT
- (257) LOT # PER FINAL P.U.D. PLANS
- EASEMENT LINE
- + SINGLE TREE
- ☁ TREE CLUSTER OR TREE CANOPY
- ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED
-  DISCRETIONARY ZONE (BUILDABLE AREA)
-  CONSERVATION ZONE

TREE CLUSTERS:

TREES SHOWN IN NUMBERED CLUSTERS BELOW MAY BE REMOVED AT OWNER'S DISCRETION.

BUILDABLE AREA:

ONLY WITHIN THIS PORTION OF THE LOT IS CONSTRUCTION OF A RESIDENTIAL DWELLING ALLOWED. ON SOME LOTS, INCLUDED WITHIN THIS BUILDABLE AREA, THERE MAY BE TREES LABELED AS DISCRETIONARY/BUFFER TREES. THE OWNER MAY REMOVE ANY DISCRETIONARY/BUFFER TREES.

RESTRICTED TREE REMOVAL:




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CERTAIN LOTS HAVE AREAS WITH CONSERVATION ZONE OVERLAYS. THE PURPOSE OF CONSERVATION ZONES IS TO PRESERVE THE NATURAL CHARACTER OF THE AREA. FENCES CONSISTENT WITH THOSE APPROVED IN THE CC&R'S ARE ALLOWED WITHIN CONSERVATION ZONES ON PRIVATELY OWNED LOTS. NO LANDSCAPING IS PERMITTED TO BE CONSTRUCTED IN AREAS DESIGNATED AS CONSERVATION ZONES. OWNERS MAY REMOVE NON-NATIVE, INVASIVE SPECIES SUCH AS BLACKBERRY BUSHES, POISON IVY, ENGLISH IVY, AND SCOTCH BROOM FROM A CONSERVATION ZONE ON A PRIVATELY OWNED LOT AND OTHERWISE MAINTAIN THE CONSERVATION ZONE.

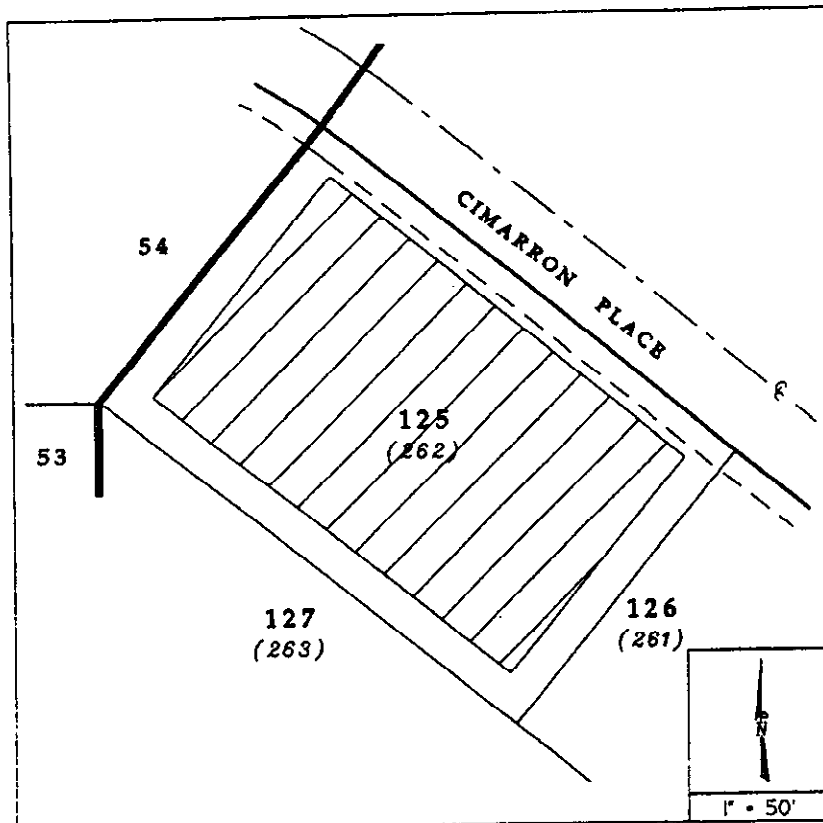
BRAEWOOD WEST 2ND ADDITION LOT 125 INDIVIDUAL LOT DIAGRAM

LEGEND:

- 86 LOT * PER FINAL PLAT
- (257) LOT * PER FINAL P.U.D. PLANS
- EASEMENT LINE
- + SINGLE TREE
-  TREE CLUSTER OR TREE CANOPY
- ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED
-  DISCRETIONARY ZONE (BUILDABLE AREA)
-  CONSERVATION ZONE

TREE CLUSTERS:

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CONSERVATION ZONES:


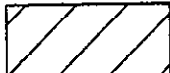
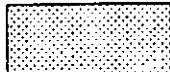
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BRAEWOOD WEST 2ND ADDITION

LOT 126

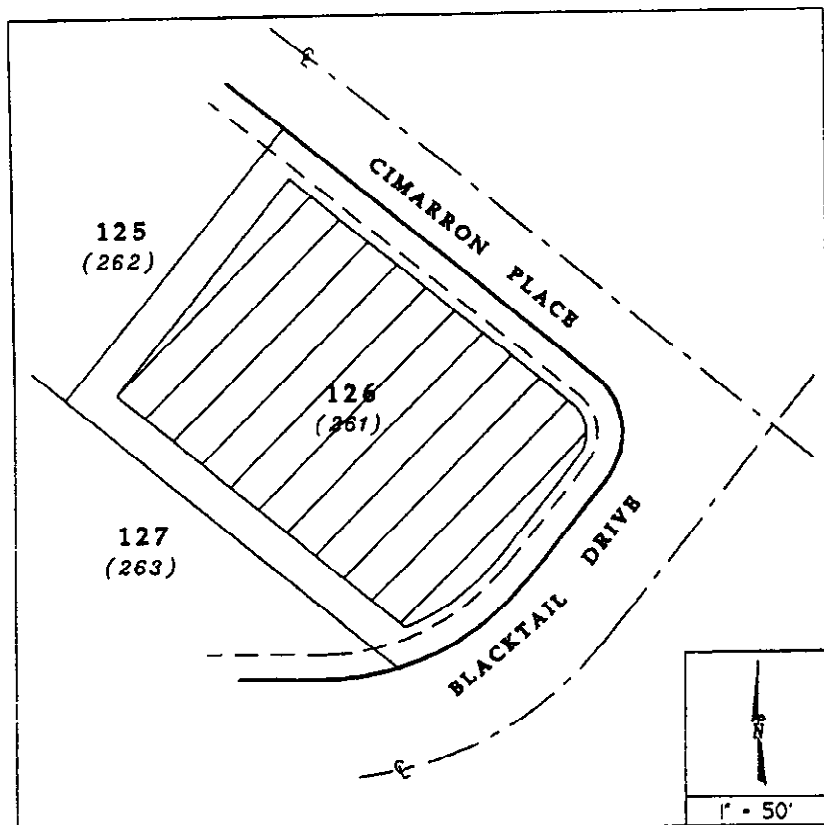
INDIVIDUAL LOT DIAGRAM

LEGEND:

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- (257) LOT # PER FINAL P.U.D. PLANS
- EASEMENT LINE
- + SINGLE TREE
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- ? DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED
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BRAEWOOD WEST 2ND ADDITION LOT 127 INDIVIDUAL LOT DIAGRAM

LEGEND:

86 LOT # PER FINAL PLAT
(257) LOT # PER FINAL P.U.D. PLANS

----- EASEMENT LINE

+ SINGLE TREE

☁ TREE CLUSTER OR TREE CANOPY

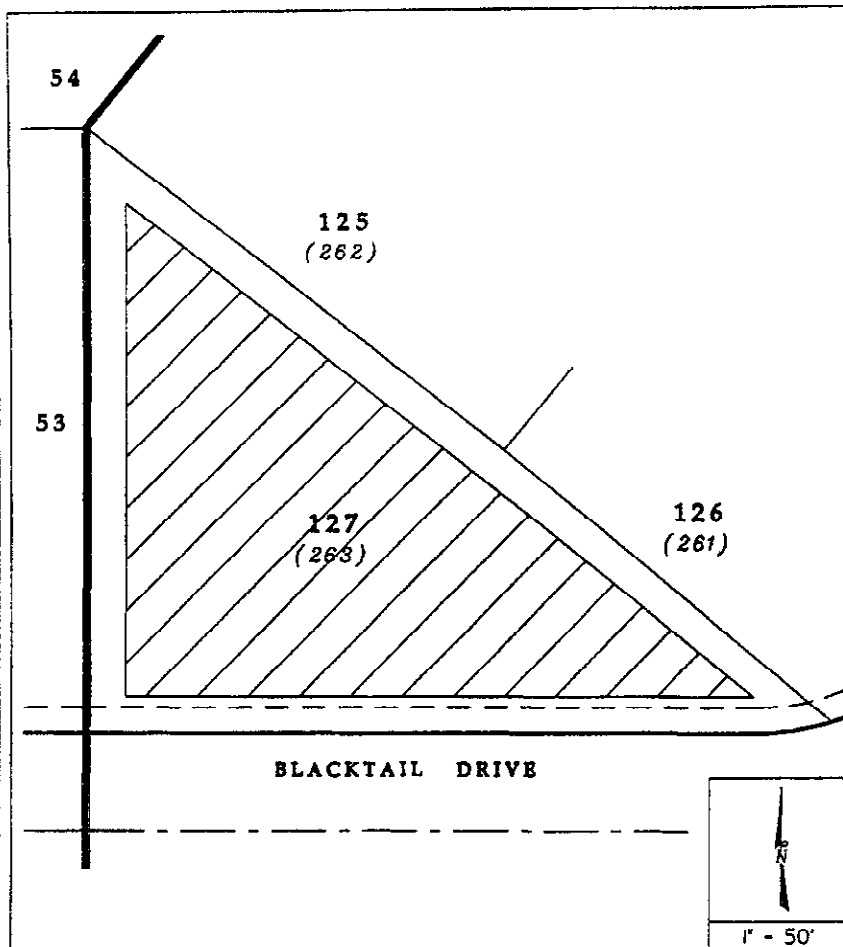
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DENOTES A SINGLE TREE OR TREE CLUSTER THAT MAY BE REMOVED (DISCRETIONARY/BUFFER TREES) ALL OTHER TREES MAY NOT BE REMOVED

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ATTENTION RECORDING RETURN TO:

The Piculell Group Inc.
4838 S.W. Scholls Ferry Rd.
Portland, OR 97225

Division of Chief Deputy Clerk
Lane County Deeds and Records

2007-025890



\$76.00

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04/18/2007 11:39:10 AM

RPR-BYLV Cnt=1 Stn=15 CASHIER 04

\$55.00 \$11.00 \$10.00

BYLAWS

Of

BRAEWOOD HOMEOWNER'S ASSOCIATION, an

Oregon non-profit corporation

ARTICLE I

MEMBERSHIP

Section 1. Organization and Existence – The Braewood Homeowner's Association (the "Association") shall be formed and deemed to exist upon the recordation of these Bylaws.

Section 2. Members – Membership in this non-profit corporation shall be limited to the lot owners (the "Owners") within the subdivision plats of Braewood West (recording number 2003-114110), Braewood West 1st Addition (recording number 2003-123526), and Braewood West 2nd Addition (recording number 2005-012456) (the "Plats") located within Lane County, Oregon. Each lot owner within the Plats shall be members of Braewood Homeowner's Association and shall have one vote in the affairs of the association. Membership in the Association is a covenant running with the land with the purchase of each lot and cannot be segregated from each lot within the Plats.

Section 3. Annual Meeting – Meetings of members shall be scheduled at least once annually and shall be in the form and manner of a notice for special meeting as herein provided. The annual meeting of the Membership shall be held in the month of October at an hour and on a date designated by the Board, or, if the Board fails to designate a date by October 1st, the second Tuesday in October at 7:30 p.m.

Section 4. Election of Directors at Annual Meeting – At the annual meeting, the election of directors will be conducted.

Section 5. Special Meetings – Special meetings of the members may be called at any time by the Board of Directors, or upon written request of five (5) members, addressed to the President, provided that notice thereof be given. Special meetings shall be called not less than fifteen (15) days nor more than thirty (30) days after receipt of request, and if the President fails to issue or call and cause the notice thereof to be given, any member may give notice as herein required.

Section 6. Notice of Special Meetings – Notice of all special meetings shall be given and shall include a statement of the following: the time and place of meeting, in general terms the purposes thereof, and any other information to apprise fairly the members of the purpose of the meeting. Such notice shall be mailed by the person calling the special meeting to each member of this corporation at his last known address as the same appears on the records of the corporation. Such notice will be mailed at least ten (10) days prior to the date of the meeting. Notice shall be deemed given if placed in the United States Mail, postage prepaid, addressed to the member at his last known address. Notice of any meeting may be waived in writing by any member at any time.

Section 7. Proof of Service of Notice – An entry of the service of notice of a meeting, given as above provided, shall be made in the minutes of the proceedings of the members, and such entry, if read and approved at a subsequent meeting, shall be conclusive on all questions of such service.

Section 8. Quorum – At a meeting of the members, ten percent (10%) of the total membership present in person or represented by proxy in writing, shall constitute a quorum for the transaction of any business.

Section 9. Adjournment of Meeting – Any regular or called meeting of the members may adjourn from day to day, or from time to time, without further notice, until its business is completed, provided that at any meeting the business thereof shall be conducted without undue delay and without adjournment unless necessary to complete said business.

Section 10. Rule of Meeting – Business shall be conducted pursuant to the Current edition of Robert's Rules of Order and such rules that may be promulgated by the Board of Directors, the latter to control in case of conflict.

ARTICLE II

DIRECTORS

Section 1. Number of Directors – The number of directors shall be three (3) directors, who shall control and exercise all corporate powers with respect to the business and property of the corporation.

Section 2. Qualification of Directors – Any person of lawful age and a member of this corporation may be elected as a director of this corporation.

Section 3. Term of Office of Directors – Each director shall hold office for a period of one (1) year, however, for purposes of maintaining continuity of management of the affairs of the corporation, the terms of the initial directors may be a maximum of up to three (3) years.

Section 4. Vacancies – Whenever a vacancy shall occur upon the Board of Directors by death, resignation, or otherwise, it shall be filled by the Board of Directors until the next annual meeting of the membership.

Section 5. Annual Meeting of Directors – Immediately after the election of the directors at the annual meeting of the members, said directors shall meet for the purpose of organization, election of officers, and the transaction of necessary business.

Section 6. Special Meetings – Meetings of the Board of Directors may be held at such time and place as said Board may from time to time appoint. Meetings of the Board of Directors shall be held at any time on the order of the President or on the order of three (3) directors.

Section 7. Notice of Meeting – Notices of the meetings of the Board of Directors, stating the time and in general terms the purposes thereof, shall be mailed or personally delivered to each director not later than fifteen (15) days before the day appointed for the meeting. An entry of the service of the notice, given in the manner above provided, shall be made in the minutes of the proceedings of the Board of Directors, and such entry, if read and approved at a subsequent meeting of the Board, shall be conclusive on the question of service. If all the directors shall be present at any directors' meeting, however called or noticed, and sign the written consent thereto which is entered in the record of the meeting, any business may be transacted at such meeting, and the transaction of such business shall be as valid as if had at a regularly called or noticed meeting.

Section 8. Address of Directors – Each director shall register his address with the President and notices of meetings mailed to such address shall be valid notices thereof.

Section 9. Quorum – A majority of the number of the directors shall constitute a quorum for the transaction of business and every act or decision of the majority of the directors present at a meeting at which a quorum is present, made or done when duly assembled shall be valid as the act of the Board of Directors; but a majority of those present at the time and place of any stated or special meeting, although less than a quorum, may adjourn from day to day or time

to time, without further notice, until a quorum shall attend and when a quorum shall attend, any business may be transacted which might have been transacted at the meeting had the same been held on the day on which the same was originally appointed or called.

Section 10. Powers of Directors – The Board of Directors shall have full power to do or cause to be done or performed any and every act which the corporation may lawfully do or perform to carry out the objects and purposes of this corporation as hereafter established.

Section 11. Compensation – No person serving as a director of the Association shall be entitled to compensation from the Association for serving in such capacity. However, the Association shall reimburse Directors in full for any out-of-pocket costs or expenses incurred by them directly for the benefit of the Association and budgeted for by the Association.

ARTICLE III

OFFICERS

Section 1. Executive Officers – The executive officers of the corporation shall be the President, Vice President, Secretary and Treasurer. The officers of the corporation shall be the officers as organized from and after the selection of the Board of Directors. The Board of Directors shall appoint and elect such officers.

Section 2. Appointment of Officers and Agents – The Board of Directors may appoint such other officers, agents and employees of the corporation as they deem proper. The directors may delegate power of appointment and removal and the power to fix the compensation of contractors, agents and employees, if necessary.

Section 3. Removal of Officers or Agents – Any officer or agent may be removed by the directors when, in their judgment, the best interest of the corporation will be served thereby. Such removal, however, shall be without prejudice to the contract rights of the person so removed.

Section 4. Relationship of Officers and Directors to Corporation – Officers and directors shall be deemed to stand in a fiduciary relationship to the corporation and its members and shall discharge the duties of their respective positions in good faith and with that diligence, care, and skill which ordinarily prudent men would exercise under similar circumstances in like position.

Section 5. The President – The President shall be the chief executive officer of the corporation. He shall preside at the meetings of the members and attend the meetings of the Board of Directors. He shall have general charge of the business of the corporation and shall execute in the name of the corporation all contracts and other obligations and instruments authorized by the membership or by the Board of Directors to be executed, and with the Secretary shall sign all certificates or other documents necessary to be executed. The President

shall also have such other powers and perform such other duties as may be assigned by the membership or by the Board of Directors to him.

Section 6. The Vice President – The Vice President shall be vested with all powers to perform all the duties of the President in case of the absence or disability of the President. The Vice President shall also have such other powers and shall perform such other duties as may be assigned to him by the Board of Directors.

Section 7. The Secretary – The Secretary shall keep the minutes of all proceedings of the members of the Board of Directors in books provided for that purpose. He shall attend to the giving and serving of all notices of the meetings of the members and of the Board of Directors and otherwise. He shall execute with the President, in the name of the corporation, all contracts and other obligations and instruments authorized to be executed, and, with the President, shall sign all other documents necessary to be executed. He shall keep and have charge of the minutes of the meeting of the Board of Directors and of the members, and any books containing records of the corporation. He shall, in general, perform all the duties incident to the Office of Secretary, subject to the control of the Board of Directors. In case of the absence or disability of the Secretary or his refusal or neglect to act, notices may be given by the President or Vice President, or by persons authorized to do so.

Section 8. The Treasurer – The Treasurer shall keep or cause to be kept full and accurate accounts of receipts and disbursements in books to be kept for that purpose. He shall receive and deposit or cause to be received and deposited, all monies and valuables of the corporation in the name and to the credit of the corporation, in such depositories as may be designated by the Board of Directors. He shall disburse, or cause to be disbursed, the funds of the corporation, as directed by the Board of Directors, taking proper vouchers for such disbursements. He shall render to the President and the Board of Directors, when required, account of all transactions and the financial condition of the corporation. He shall, in general, perform all the duties incident to said office subject to the control of the Board of Directors.

Section 9. Vacancies – If the office of the President, Vice President, Secretary or Treasurer becomes vacant by reason of death, resignation, removal or otherwise, the Board of Directors shall elect a successor, who shall hold office for the unexpired term, until a successor is elected.

Section 10. Combined Office – Any two or more offices may be held by the same person, except the offices of President and Secretary.

Section 11. Compensation – Neither the President, Vice-President, the Treasurer, the Secretary nor any other officer of the Association shall be entitled to compensation from the Association for serving in such capacity. However, the Association shall reimburse Directors in full for any out-of-pocket costs or expenses incurred by them directly for the benefit of the Association and budgeted for by the Association.

ARTICLE IV

ELECTIONS, VOTING RIGHTS, AND QUALIFICATIONS FOR MEMBERSHIP

Section 1. Vote in Person or by Proxy – At each meeting of the members, each member of this corporation shall be entitled to vote in person or by written proxy.

Section 2. Proxies – All proxies must be in writing, executed by the members themselves or by their duly authorized attorneys, and must be filed with the Secretary of the corporation at or before the meeting of members.

Section 3. Members – Members shall be those who qualify in accordance with the provisions of the Bylaws. No member shall be allowed to vote who is not current in the payment of their dues or assessments to the Association.

Section 4. Voting Rights – A majority vote of the members entitled to vote shall determine all issues except where provided otherwise in the Bylaws.

Section 5. Joint Owners – If a Lot is owned by two or more persons, the vote of that Lot may be exercised by any one of the Owners present at the meeting so long as a Co-Owner does not object. If Co-Owners do not agree on a matter submitted to a vote, the vote of that Lot shall not be counted in determining the outcome of the election.

ARTICLE V

CONDUCT OF MEETING

Section 1. Presiding Officer – The President, or in his absence the Vice President, or in the absence of the Vice President, the Secretary, shall call the meeting of the members and of the Board of Directors to order and act as presiding officer thereof. In the event the Secretary shall be required to so act, said officer shall have the power to appoint a temporary Secretary to record the proceedings of the meeting.

Section 2. Secretary and Duties – The Secretary of the corporation shall act as Secretary at all meetings of the members, and in his absence, the presiding officer may appoint any person to act as Secretary, or the Secretary may delegate any person to be recording Secretary for the purpose of assisting with the minutes, mailing of notices, etc.

ARTICLE VI

ELECTION OF BOARD OF DIRECTORS

At the annual meeting of the members held each year, the members entitled to vote shall elect by ballot or standing vote a Board of Directors as constituted by the Bylaws and the Articles of Incorporation.

ARTICLE VII

TRANSITIONAL ADVISORY COMMITTEE

Within sixty (60) days after Developer has sold at least ninety percent (90%) of the developed lots, Developer shall call a meeting of Owners to select a Transitional Advisory Committee in accordance with ORS 94.604. An Owner may call a meeting if Developer fails to call the meeting within the sixty (60) day period. The Transitional Advisory Committee shall represent all Owners and include a representative of Developer. Upon expiration of ninety (90) days from the date of the selection of the Transitional Advisory Committee, Developer may call a Turnover Meeting to transfer administrative control of the affairs of the Association from Developer to the Association. Developer shall call a Turnover Meeting within one hundred twenty (120) days after Developer has sold ninety percent (90%) of the developed lots. The Developer shall give notice of the meetings to each Owner in the same form and manner of notice for a special meeting as herein provided.

ARTICLE VIII

AMENDMENTS

Section 1. Authority to Amend Bylaws – The Board of Directors is expressly authorized to make, alter, or repeal the Bylaws of this corporation subject to the power of the members to change or repeal such Bylaws, provided however, neither the Board of Directors nor the members are authorized to make, alter or repeal the following portions of the Bylaws:

- (a) Section 1 of Article I.
 - (b) Section 3 of Article IV.
 - (c) All of Article VIII.
-
-

ARTICLE IX

BUDGET AND ASSESSMENTS OF DUES AND LIENS

Section 1. Purpose of Assessment – The Association has the following economic duties which will result in the need to collect monetary dues from the membership:

The Association will maintain the landscaping (weeding, trimming and general clean-up) and irrigation (including water and electricity) in the following locations. The area to be landscaped, maintained and irrigated is shown on the attached Exhibit "A" and includes that portion of Lot 1 and right of way with frontage on Randy Lane and Blacktail Drive as required by that City Property and Right of Way Maintenance and Use Agreement dated 2-10-07. The Association will also maintain the concrete block wall shown on the attached Exhibit "B" that is located along the west property line of Lot 35 Braewood West 1st Addition and the east property line of the EWEB power substation, otherwise known as Lane County Assessor's map 18-04-11 tax lot 104. Association member dues will be used for this landscaping, irrigation and maintenance only.

Section 2. Assessment – The Board shall assess the Owners the amounts sufficient to pay the Association's expenses (the "Assessment") in discharging its responsibilities under these Bylaws and Oregon statute. Assessments shall be at least annually. The Assessment shall be determined by dividing the projected annual expenses by the number of developed lots.

Section 3. Budget – The Board shall prepare a budget for the Association for common expenses expected to be incurred, less any previous over-assessments, and assess the Owners as specified in Article IX Section 2.

Section 4. Special Assessments – The Board may establish special assessments only in situations where unforeseen expenses have arisen relative to the maintenance described in Article IX Section 1.

Section 5. Lien and Personal Obligation – All Assessments, with interest, attorney fees and costs of collection shall be a continuing lien upon the Lot against which the Assessment is made. Any lien may be reduced to writing and filed as provided in ORS 94.709. The lien shall exist and be foreclosed as provided in ORS 94.709. Each Assessment, with interest, attorney fees and costs of collection shall also be the personal obligation of the Owner when the Assessment became due.

Section 6. Default in Payment of Assessments – Assessments not paid when due will bear interest at the rate of twelve percent (12%) per annum from the due date until paid. In addition, the defaulting Owner shall pay all expenses of collection, including attorney fees at all levels of litigation.

Section 7. Statement of Assessments – The Board shall advise each Owner in writing of the amount of each Assessment and furnish copies of the budget on which the Assessment is based to all Owners and, if requested, to their mortgages. The Board shall promptly provide any

Owner who makes a request in writing with a written statement of unpaid assessments relating to that Owner's Lot.

CERTIFICATE OF ADOPTION

We, the undersigned, being the directors of Braewood Homeowner's Association, do hereby certify that the foregoing are the Bylaws adopted as the Bylaws of this corporation and ordered certified and filed with the minute book of this corporation by unanimous vote of all the members at a meeting of the members held on the 25th day of October, 2006.

IN WITNESS WHEREOF, the undersigned, being Declarant herein, have hereto set its hand this 25th day of October, 2006.

By: G. Ned Christensen

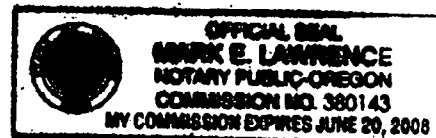
By: Steve Hammans

By: Peri Moritz

STATE OF OREGON)

) ss.

COUNTY OF WASHINGTON)



Personally appeared G. Ned Christensen, Steve Hammans and Peri Moritz, on the 25th day of October, 2006, executed the foregoing document in their capacity as Board of Directors of the Braewood Homeowner's Association, and acknowledges that the foregoing document was executed as the voluntary act and deed of each and in their official capacity as Directors.

BEFORE ME, a Notary Public in and for Oregon.

Mark E. Lawrence
Notary Public for Oregon

My Commission Expires: 6/20/08

EXHIBIT "A"

BRAEWOOD WEST
NE 1/4 SEC. 11, T. 18 S., R. 4 W., W.M.
EUGENE, LANE COUNTY, OREGON
2 SEPTEMBER 2003
SCALE 1" = 100'

FILE NO. **20312**
 DATE **25 MAY 03**
 S
 Division of Chief Deputy Clerk
 Lane County Records and Records
 11/25/2003 11:04:34 AM
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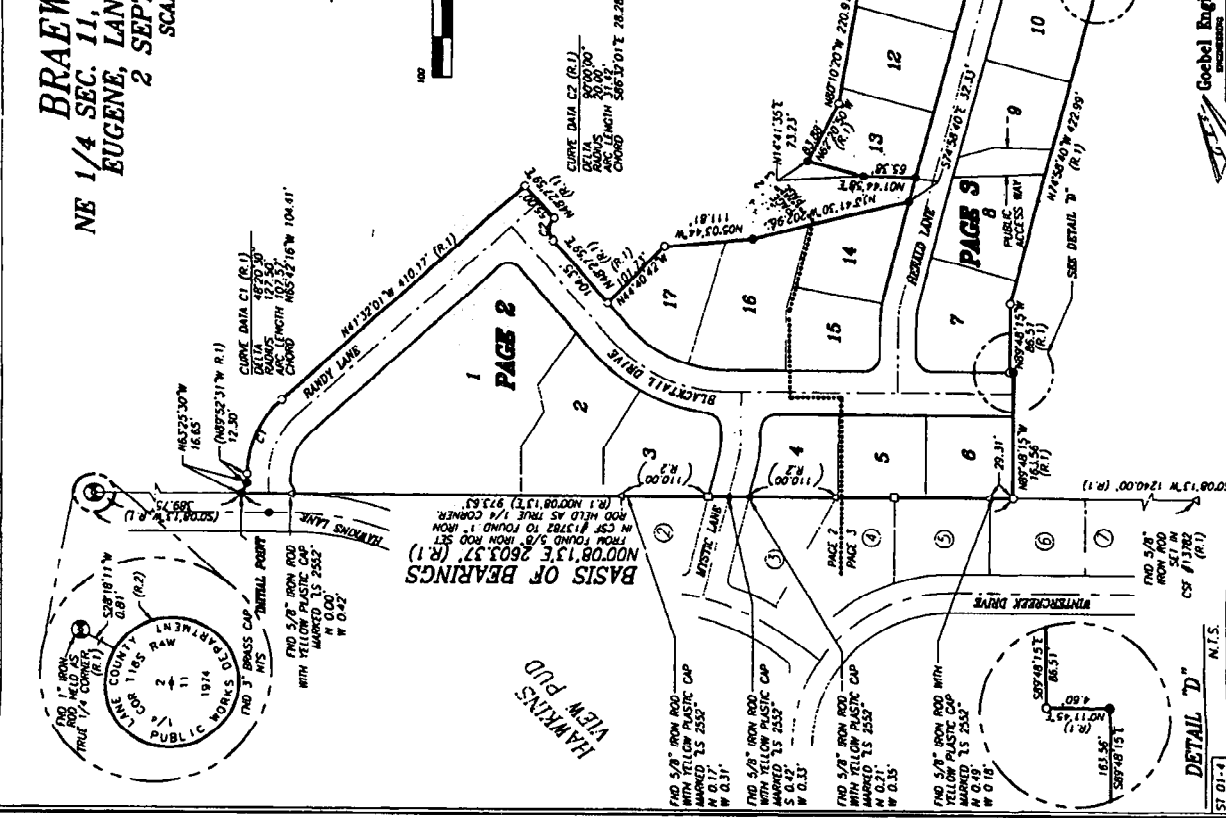
LEGEND

- 4 FOUND BUT RESET AS A POST MONUMENTED 5/8" x 30" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "C.S. PLS 2280"
- D NOTHING FOUND, NOTHING SET
- o FOUND MONUMENT AS NOTED
- o FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "C.S. PLS 2280" SET IN (R.1)
- o SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "C.S. PLS 2280"
- o BOUNDARY LINE
- o SUBDIVISION LOT LINES
- o LINE NOT TO SCALE
- o ADJACENT SUBDIVISION LOT NUMBER
- () DATA OF RECORD
- o LANE COUNTY OREGON PLAT RECORD
- o LANE COUNTY OREGON DEED RECORD
- o FOUND MONUMENT
- o NOT TO SCALE
- o COUNTY SURVEYORS FILE
- o CSF

RECORDED
 DATE: 25 Nov 2003
 COUNTY CLERK
 BY: *Marie L. Beck*



SCALE IN FEET



REFERENCES

- R1 CSF #1704, SURVEYOR SCOTT GOBEL
- R2 CLERK: CHUCKER INVESTMENTS, INC.
- R3 HAWKINS VET PLD, FILE 75
- R4 SUE'S AND PAUL JOEL LOPR
- R5 COVENANTS, CONDITIONS AND RESTRICTIONS
- R6 RECEPTION NO. 88800000000000000000
- R7 LOPR

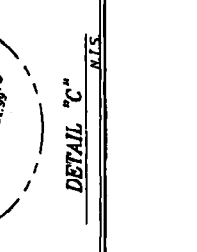
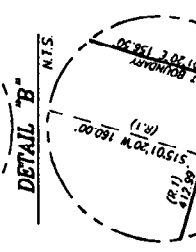
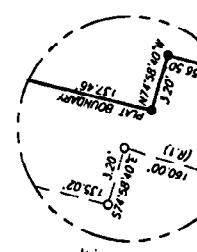
NOTES

- 1. MEASURED DIMENSIONS (COAL RECORD DIMENSIONS UNLESS OTHERWISE NOTED)

SHEET INDEX

- 1) BOUNDARY INFORMATION
- 2) NORTH PORTION
- 3) SOUTH PORTION
- 4) SIGNATURE SHEET

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 OREGON
 SCOTT GOBEL
 2230
 11/25/2003



Goebel Engineering & Surveying
 1100 N. 10th St.
 Eugene, OR 97401
 (503) 255-1000

EXHIBIT "B"

LANE COUNTY SURVEYORS OFFICE
 CS FILE NO. 36,394
 FILING DATE 30 DEC 45

BRAEWOOD WEST 1ST ADDITION NE 1/4 SEC. 11, T. 18 S., R. 4 W., M.M. EUGENE, LANE COUNTY, OREGON 18 NOVEMBER 2003 SCALE 1" = 60'

RECORDED
 DATE 30 DEC 2003
 COUNTY CLERK
 M. H. McLaughlin

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 DATE 10/10/03
 COUNTY CLERK
 M. H. McLaughlin

PLAT NO. 17555
 \$78.00
 12/20/2003 11:40:03 AM

Division of Chief Deputy Clerk
 Lane County Health and Revenue
 3000 E. Main St. 2nd Floor
 Eugene, OR 97401
 541-325-3300



LEGEND

- FOUND MONUMENT AS NOTED
- △ FOUND 2 1/2" x 3/4" RAILROAD RAIL WITH PLANCH MARK (R.3)
- △ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "E.S. PLS 2280"
- SET 5/8" x 3/4" IRON ROD WITH YELLOW PLASTIC CAP MARKED "E.S. PLS 2280"
- ◎ TO BE POST MARKED 5/8" x 3/4" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "E.S. PLS 2280"
- MATCH LINE
- BOUNDARY LINE
- SUBDIVISION LOT LINES
- LINE NOT TO SCALE
- SLOPE EASEMENT AS NOTED
- EASEMENT AS NOTED
- ③ ADJACENT SUBDIVISION LOT NUMBER
- () DATA OF RECORD
- LOOPR LANE COUNTY OREGON PLAT RECORD
- LOOPR LANE COUNTY OREGON DEED RECORD
- PRO FOUND MONUMENT
- CSF COUNTY SURVEYORS FILE
- UCB URBAN GROWTH BOUNDARY
- 50 FT SQUARE FEET
- R/W RIGHT OF WAY
- YPC YELLOW PLASTIC CAP

REFERENCES

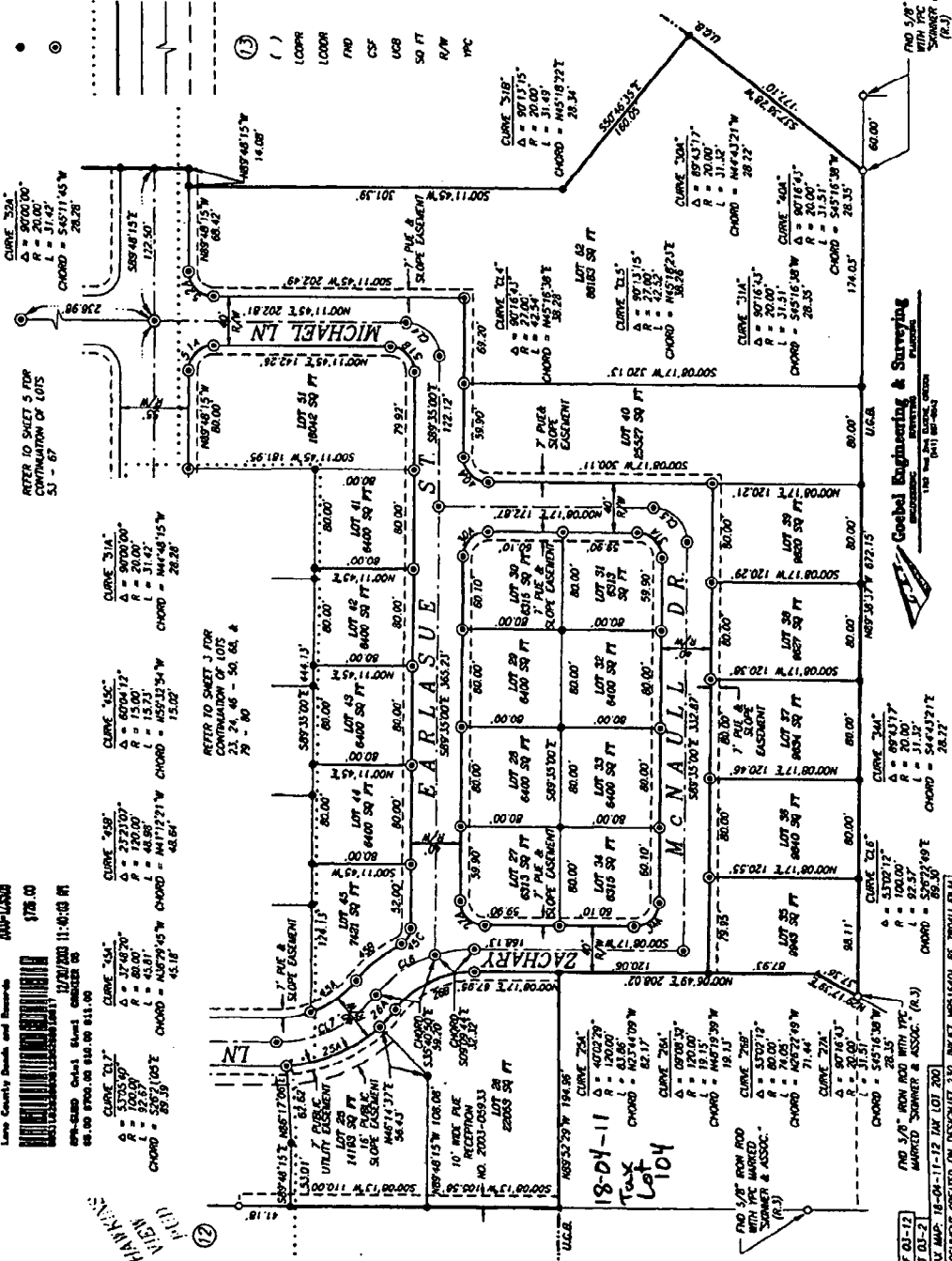
- R.1 BRAEWOOD WEST SUBDIVISION, RECEPTION NO. 2003-114110, LOOPR
- R.2 SURVEY FOR E.W.B. BY D.L. MCCORMACK, CSF NO. 20711
- R.3 CSF NO. 32548 CORRECTION SURVEY FOR CLERK CLERK BY SUMNER & ASSOC.
- R.4 HARRIS NEW P.L.D. FILE 75
- R.5 CSF NO. 37014 RECORD OF SURVEY FOR GOSSEL (HARRIS) & SUMNER

NOTES

- 1. MEASURED DIMENSIONS EQUAL RECORD DIMENSIONS UNLESS OTHERWISE NOTED.
- 2. ALL SLOPE EASEMENTS SHOWN HEREON ARE PUBLIC SLOPE EASEMENTS.
- 3. PORTIONS OF LOTS 18-26, 40, 52, AND 54-60 ARE ENCUMBERED BY A CONSERVATION ZONE AS NOTED IN THE OCA'S FOR BRAEWOOD WEST 1ST ADDITION.

SHEET 4 OF 7

FILE: 100001-01 UNCLASIFIED PLAT, LANC
 PLAT DATE: 17 DECEMBER 2003



Gosbell Engineering & Surveying
 1000 W. Main Street
 Eugene, OR 97401
 541-325-3300

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 \$78.00
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