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DECLARATION OF BRAEWOOD WEST

PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS: Arthur C. Piculell, Jr. and Dee W. Piculell, hereinafter called the "Declarants," do hereby declare as follows:

WHEREAS, Declarants are the Owner of the real property in Lane County, Oregon, known as Lots 2 through 17 in Braewood West (the "Property") the same appears in the Plat recorded in Reception No. 2003-114110 of Plat records of Lane County.

WHEREAS, Declarants desire to declare of public record their 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, Declarants hereby declare 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 insure 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 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. The provisions of this Section shall not be deemed to prohibit the right of any licensed builder to construct a residence on any lot, to store construction materials and equipment on said lots in the normal course of construction and to use any single-family residence as a home. 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

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. Minimum setbacks from streets/property lines shall be as follows: Front yard – eighteen (18) feet; interior side yard – five (5) feet; corner lot side yard – P.U.E plus five (5) feet; rear yard – ten (10) feet.

3. EASEMENTS

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 easement or make maintenance or repair significantly more difficult or expensive. The owner of any lot which has an easement shall maintain the easement area at his or her expense except for improvements for which a public authority or utility is responsible. Lots 10, 11, 12 and 13, are encumbered by 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 easement area on a proportional use basis (equal maintenance cost responsibility for each benefiting Lot) as set forth in the recorded Storm Sewer Maintenance Agreement. In the event the private utility within the easement requires maintenance and repair, the easement area shall thereafter be returned to its pre- maintenance and repair condition. In the event the private utility within the 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 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 three [3] 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, Declarants 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. 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 NUMBERS

House numbers shall be affixed to the front of the house, and all house number plates shall be uniform in appearance as approved by the Architectural Control Committee and recorded as part of these CC&Rs.

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, human 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. Human made structures are including but not limited to: paving of any kind, deck, walkways, play equipment and recreational equipment. 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 fencing 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 2"x6" skirts top and bottom), 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. 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 single, or Architectural 80 fiberglass shingles (no 3-tab roofing materials allowed) that meet or exceed the following criteria: (A) 3-ply or greater shingle construction. (B) Minimum manufacturer's warranty of 40 years. (C) Minimum weight of 400 U.S. pounds per square (100 square feet). (D) Class A fire and wind rating from Underwriters Laboratories Inc. (UL). 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 Public Improvement plans approved by the City of Eugene Department of Public Works. Consult Eugene Public Improvement (street) Code ordinance and the Braewood West 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 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. WETLANDS

There are "non-permitted" wetlands within Lot 1 and within the public accessway between Lots 8 and 9 that should not be disturbed or damaged, particularly through dumping of dirt, yard debris or any other materials.

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 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 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 Declarants intend 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 Declarants may from time to time appoint. The Declarants 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, except that the Declarants have the sole and exclusive authority to terminate, revoke, or amend these conditions, covenants and restrictions until the Declarants have sold their 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 Declarants 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

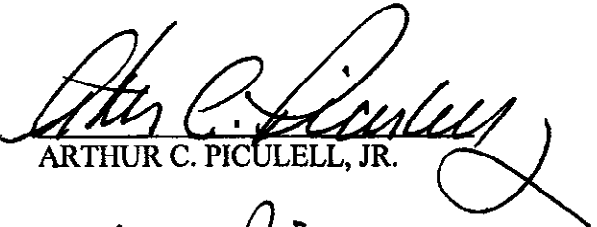
Declarants shall not be liable to any owner on account of action or failure to act by Declarants in performing their duties or rights hereunder, provided that Declarants have, in accordance with actual knowledge possessed by them, acted in good faith.


5. CONFLICTS WITH CITY CODES AND REGULATIONS

These CC&Rs constitute a private contract among the owners of Lots 2 through 17 within Braewood West 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 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 Declarants herein, have hereto set their hand this 22nd day of October, 2003.



ARTHUR C. PICULELL, JR.


DEE W. PICULELL

STATE OF OREGON)
COUNTY OF WASHINGTON)

I, Mark E. Lawrence, a Notary Public for the State of Oregon, hereby certify that on the 22nd day of October, 2003, personally appeared before me Arthur C. Piculell, Jr. and Dee W. Piculell, who being duly sworn did acknowledge the execution of the foregoing instrument to be their free and voluntary act.




Notary Public for Oregon
My Commission expires 6/20/04

EXHIBITS

- A. Approved Street Tree Species.
- B. House Numbers.
- C. 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 or building construction, driveways, sidewalks, and rough landscaping is completed.
- The property owner may request the planting of any species of tree included on the Exhibit "A" Approved Street Tree Species list (see below), which will meet the planting standards contained within City of Eugene Administrative Rule R-7.280. Selection may be limited by availability.
- It is recommended that the landscaping design within the parking strip (planting strip) allow for future automated irrigation. (Automatic irrigation systems are not provided by the City).

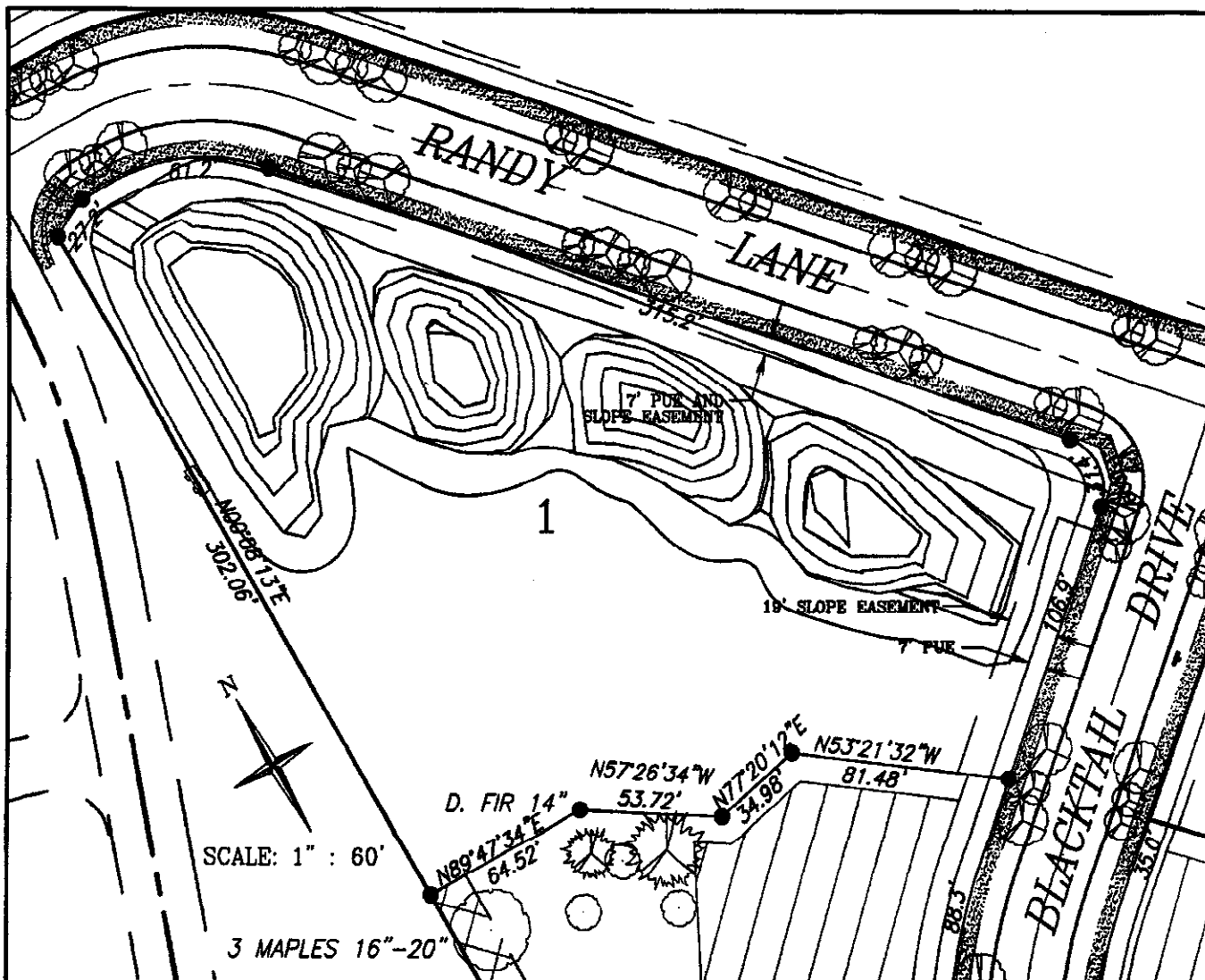
| DECIDUOUS | |
|-----------------------------|------------------------------------|
| COMMON NAME | GENUS SPECIES |
| Big Leaf Maple | (Acer macrophyllum) |
| Emerald Queen Norway Maple | (Acer platanoides) |
| Sycamore Maple | (Acer pseudoplatanum) |
| Red Sunset Red Maple | (Acer rubrum "Red Sunset") |
| Red Flowering Horsechestnut | (Aesculus carnea "Brioti") |
| European Hornbeam | (Carpinus betulus) |
| Common Catalpa | (Catalpa bignonioides) |
| Katsura Tree | (Cercidiphyllum japonicum) |
| Yellowwood Tree | (Cladrastis lutea) |
| Autumn Purple Ash | (Fraxinus americana) |
| European Ash | (Fraxinus oxycarpa) |
| Patmore Ash | (Fraxinus pennsylvanica "Patmore") |
| American Sweetgum | (Liquidambar styraciflua) |
| Tulip Tree | (Liriodendron tulipifera) |
| Bloodgood Plane Tree | (Platanus acerifolia) |
| Chanticleer Pear | (Pyrus calleryana) |
| Scarlet Oak | (Quercus coccinea) |
| Pin Oak | (Quercus palustris) |
| Northern Red Oak | (Quercus rubra) |
| Shumard Red Oak | (Quercus shumardii) |
| Village Green Zelkova | (Zelkova serrata) |
| EVERGREEN | |
| COMMON NAME | GENUS SPECIES |
| Grand Fir | (Abies nobilis) |
| Noble Fir | (Abies nobilis) |
| Incense Cedar | (Calocedrus decurrens) |
| Douglas Fir | (Pseudotsuga menziesii) |

EXHIBIT "B"

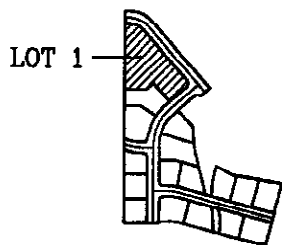
House Numbers



EXHIBIT "C"
Individual Lot Diagrams



LOCATOR MAP



NOTES

1. LOT AREA = 60025 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

LEGEND

- TREES TO REMAIN
- Deciduous and evergreen trees significant in size, character, and location.
- TREES TO INITIALLY REMAIN
- Trees to remain but may be removed at owner's discretion.
- STREET TREES
- Proposed new street trees planted within R.O.W.
- Minimum recommendation at each lot frontage.
- Informal planting to reflect character of existing landscape.
- BUILDABLE AREA/DISCRETIONARY ZONE
- PROPERTY LINES
- PUBLIC/PRIVATE UTILITY EASEMENT
- SLOPE EASEMENT
- PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION: ST01-4



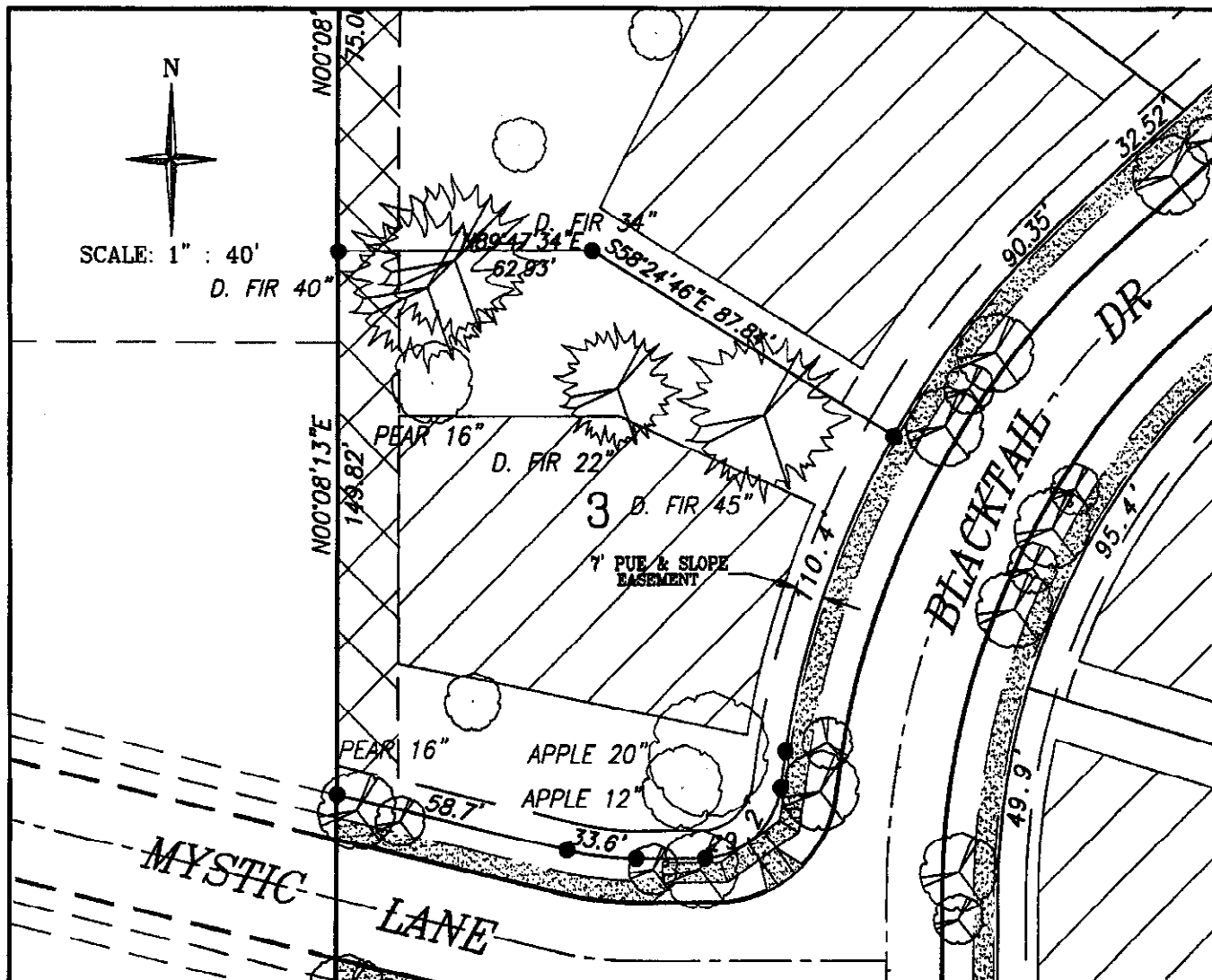
Goebel Engineering & Surveying

ENGINEERING SURVEYING PLANNING
1782 West 2nd, EUGENE, OREGON 97401
(541) 927-2943

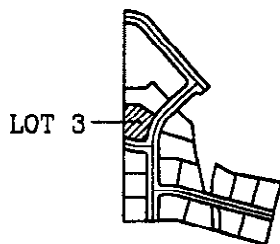


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GILBERT
& SCHEIBE**

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Phone: 541.488.7388 Fax: 541.488.7389



LOCATOR MAP



NOTES

1. LOT AREA = 19192 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

LEGEND

- TREES TO REMAIN**
- Deciduous and evergreen trees significant in size, character, and location.
- TREES TO INITIALLY REMAIN**
- Trees to remain but may be removed at owner's discretion.
- STREET TREES**
- Proposed new street trees planted within R.O.W.
- Minimum recommendation at each lot frontage.
- Informal planting to reflect character of existing landscape.
- BUILDABLE AREA/DISCRETIONARY ZONE**
- PROPERTY LINES**
- PUBLIC/PRIVATE UTILITY EASEMENT**
- SLOPE EASEMENT**
- PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"**

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION ST01-4



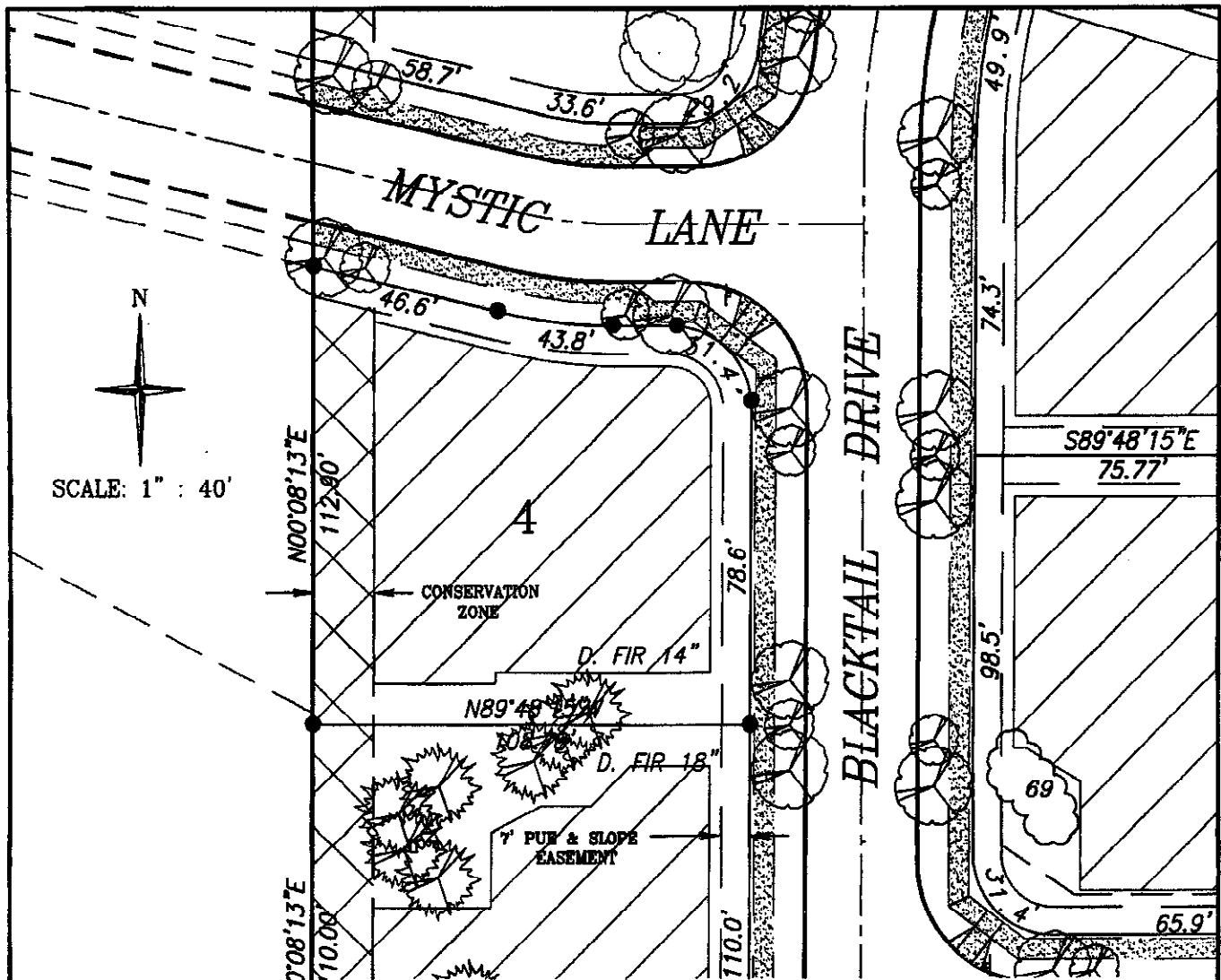
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ENGINEERING SURVEYING PLANNING

1702 West 2nd, EUGENE, OREGON
(541) 687-0542

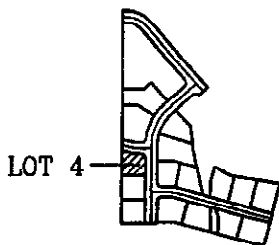


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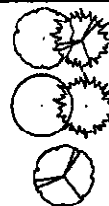
LOCATOR MAP



NOTES

1. LOT AREA = 11080 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

LEGEND



- TREES TO REMAIN**
- Deciduous and evergreen trees significant in size, character, and location.
- TREES TO INITIALLY REMAIN**
- Trees to remain but may be removed at owner's discretion.
- STREET TREES**
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- BUILDABLE AREA/DISCRETIONARY ZONE**
- PROPERTY LINES**
- PUBLIC/PRIVATE UTILITY EASEMENT**
- SLOPE EASEMENT**
- PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"**

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION ST01-4



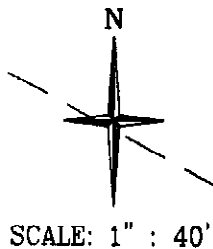
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1762 West 2nd, Eugene, Oregon 97401
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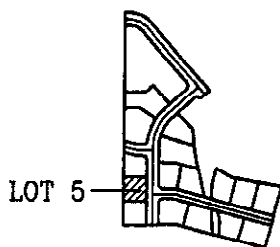


TREE CLUSTERS

| | |
|-----|------------|
| 179 | 1-10" FIR* |
| | 1-12" FIR* |
| | 2-14" FIR* |
| 186 | 1-16" FIR* |

*-TREE TO INITIALLY REMAIN. REMOVED AT DESCRETION OF HOMEOWNER.

LOCATOR MAP



NOTES

1. LOT AREA = 11960 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

LEGEND

- TREES TO REMAIN**
- Deciduous and evergreen trees significant in size, character, and location.
- TREES TO INITIALLY REMAIN**
- Trees to remain but may be removed at owner's discretion.
- STREET TREES**
- Proposed new street trees planted within R.O.W.
- Minimum recommendation at each lot frontage.
- Informal planting to reflect character of existing landscape.
- BUILDABLE AREA/DISCRETIONARY ZONE**
- PROPERTY LINES**
- PUBLIC/PRIVATE UTILITY EASEMENT**
- SLOPE EASEMENT**
- PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"**

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION ST01-4



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**CAMERON
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GILBERT
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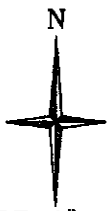
LANDSCAPE ARCHITECTS LLP
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Phone: 541.486.7888 Fax: 541.486.7889

TREE CLUSTERS

| | |
|-----|---|
| 184 | 1-8" FIR 1-10" FIR 1-12" FIR 1-14" FIR |
| 185 | 1-8" FIR* 1-14" FIR* |

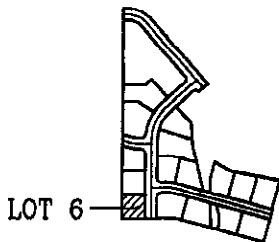
*-TREE TO INITIALLY REMAIN. REMOVED AT DESCRETION OF HOMEOWNER.

CONSERVATION
ZONE



SCALE: 1" : 40'

LOCATOR MAP



NOTES

1. LOT AREA = 11947 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

LEGEND



TREES TO REMAIN
- Deciduous and evergreen trees significant in size, character, and location.



TREES TO INITIALLY REMAIN
- Trees to remain but may be removed at owner's discretion.



STREET TREES
- Proposed new street trees planted within R.O.W.
- Minimum recommendation of each lot frontage.
- Informal planting to reflect character of existing landscape.



BUILDABLE AREA/DISCRETIONARY ZONE



PROPERTY LINES



PUBLIC/PRIVATE UTILITY EASEMENT



SLOPE EASEMENT



PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION ST01-4



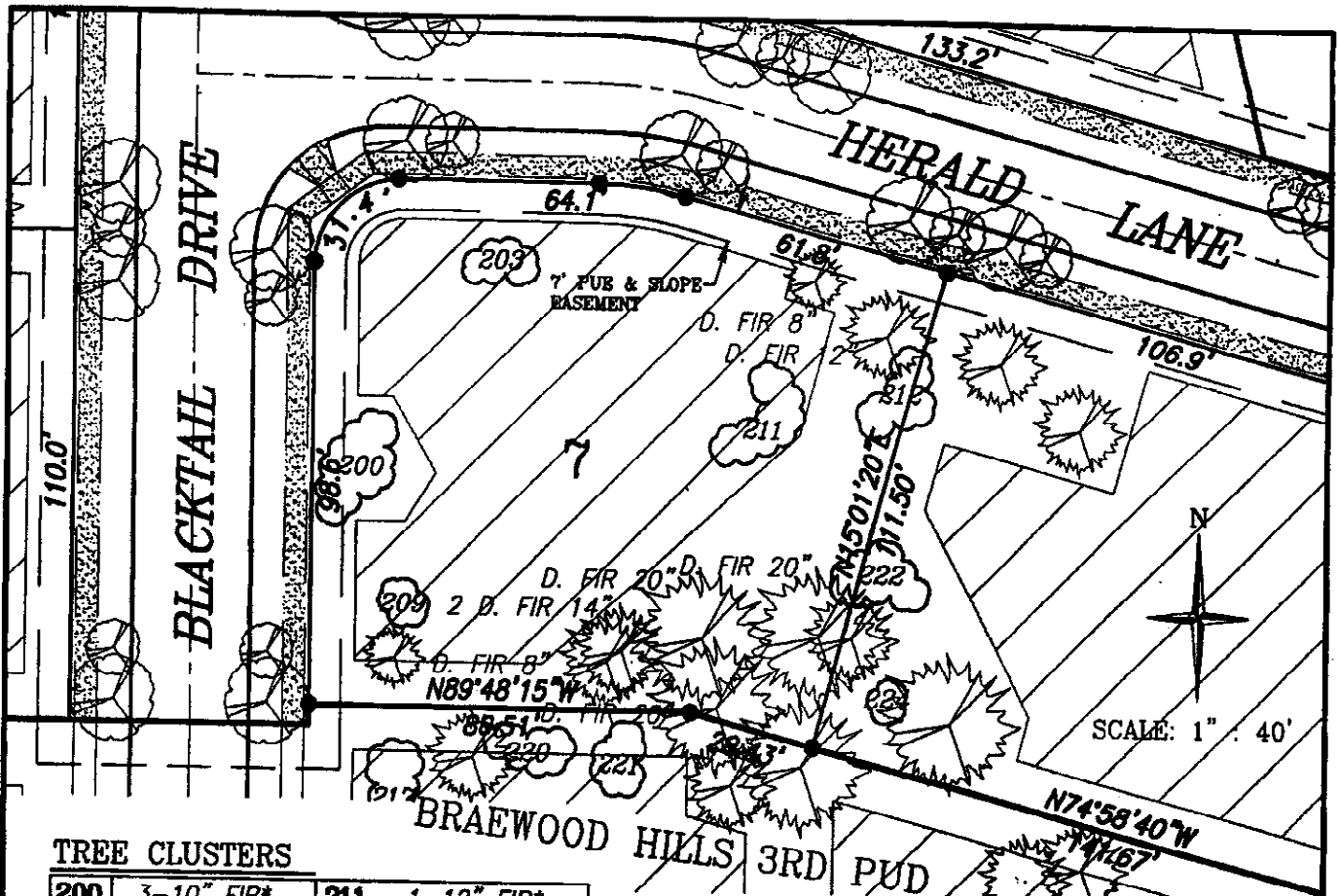
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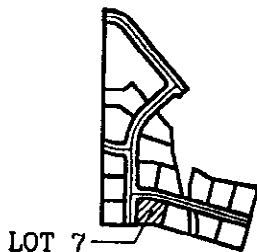


TREE CLUSTERS

| | | | |
|-----|------------|-----|------------|
| 200 | 3-10" FIR* | 211 | 1-12" FIR* |
| | 1-12" FIR* | | 2-14" FIR* |
| | 1-14" FIR* | | 1-18" FIR* |
| | 1-16" FIR | 212 | 2-12" FIR* |
| 203 | 1-8" FIR* | | 1-16" FIR* |
| | 1-14" FIR* | | 1-18" FIR* |
| 209 | 1-12" FIR* | 222 | 1-12" FIR |
| | 1-16" FIR* | | |

*-TREE TO INITIALLY REMAIN. REMOVED AT DESCRETION OF HOMEOWNER.

LOCATOR MAP



NOTES

1. LOT AREA = 15079 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

LEGEND



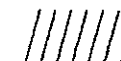
TREES TO REMAIN
- Deciduous and evergreen trees significant in size, character, and location.



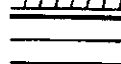
TREES TO INITIALLY REMAIN
- Trees to remain but may be removed at owner's discretion.



STREET TREES
- Proposed new street trees planted within R.O.W.
- Minimum recommendation of each lot frontage.
- Informal planting to reflect character of existing landscape.



BUILDABLE AREA/DISCRETIONARY ZONE



PROPERTY LINES



PUBLIC/PRIVATE UTILITY EASEMENT



SLOPE EASEMENT



PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION: ST01-4



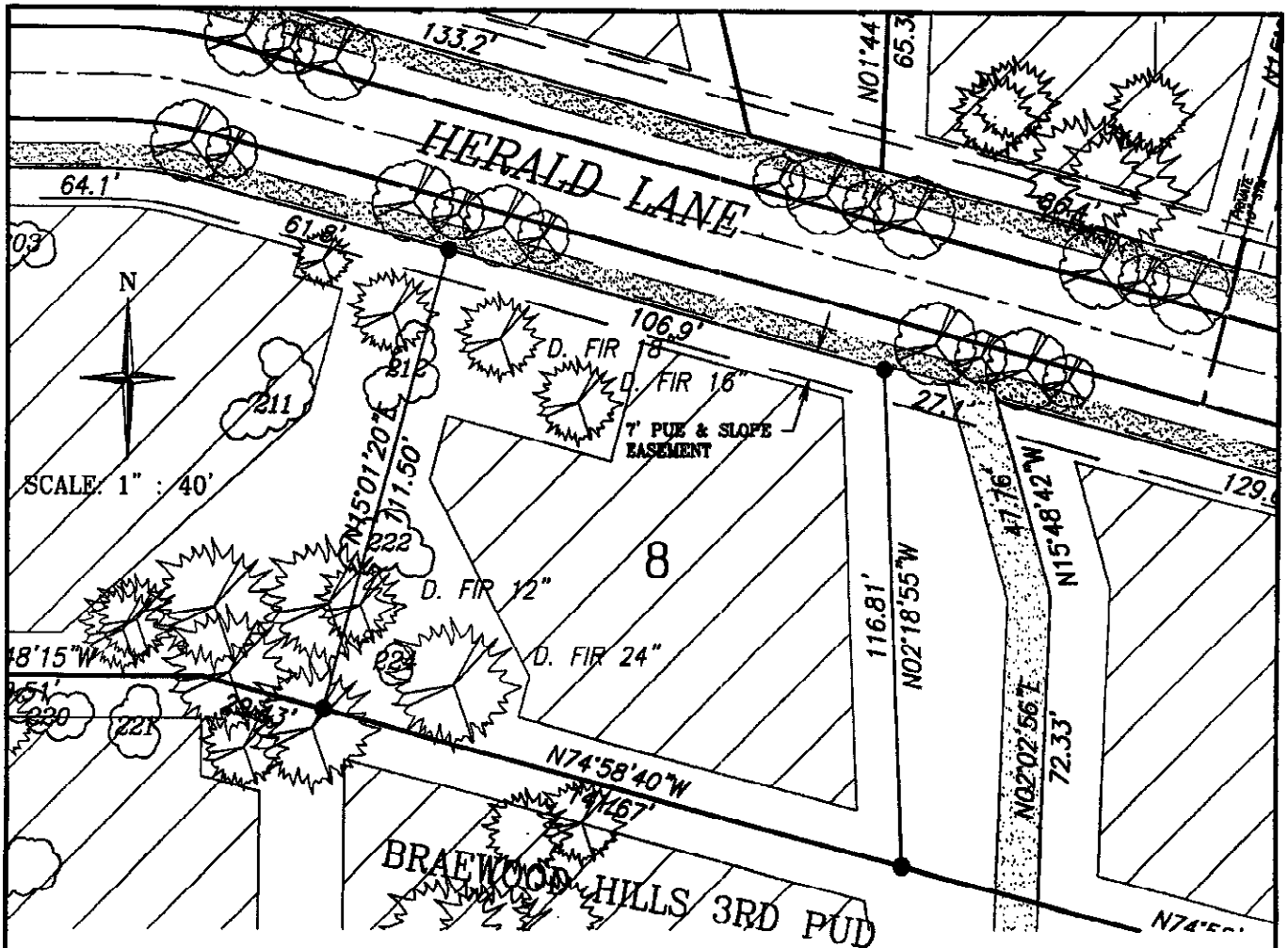
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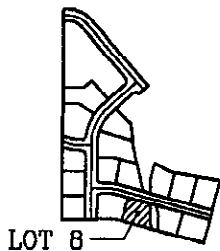


TREE CLUSTERS

| | |
|-----|------------|
| 212 | 1-16" FIR* |
| 222 | 2-12" FIR |
| | 2-16" FIR |
| 224 | 2-18" FIR |

*-TREE TO INITIALLY
REMAIN. REMOVED AT
DESCRETION OF
HOMEOWNER.

LOCATOR MAP



LOT 8

NOTES

1. LOT AREA = 13855 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

LEGEND



TREES TO REMAIN
- Deciduous and evergreen trees significant in size, character, and location.



TREES TO INITIALLY REMAIN
- Trees to remain but may be removed at owner's discretion.



STREET TREES
- Proposed new street trees planted within R.O.W.
- Minimum recommendation at each lot frontage.
- Informal planting to reflect character of existing landscape.



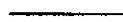
BUILDABLE AREA/DISCRETIONARY ZONE



PROPERTY LINES



PUBLIC/PRIVATE UTILITY EASEMENT



SLOPE EASEMENT



**PROPERTY MONUMENT WITH YELLOW
PLASTIC CAP MARKED "G.E.S. PLS 2280"**

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION ST01-4



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(503) 687-0542



CAMERON

MCCARTHY

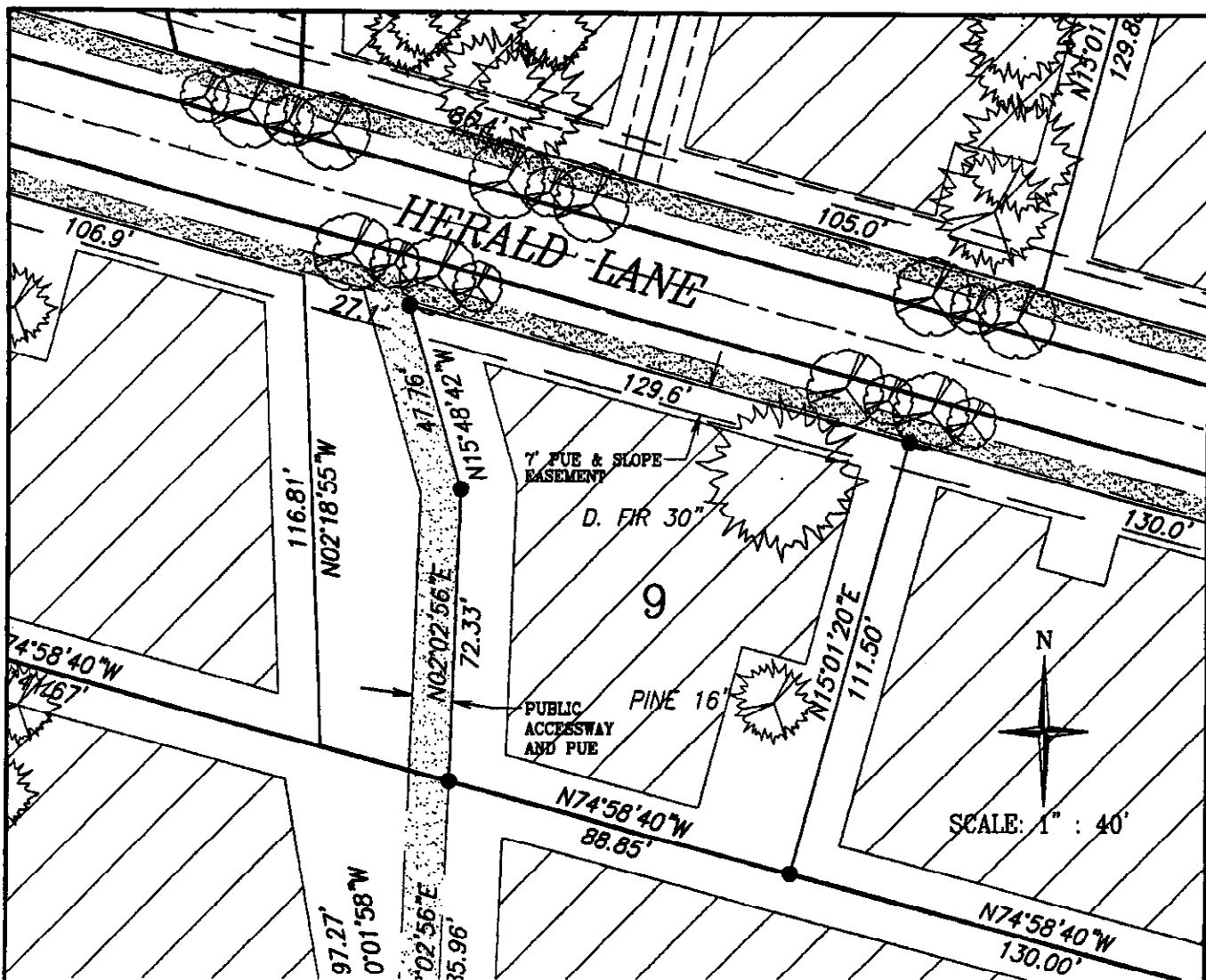
GILBERT

& SCHEIBE

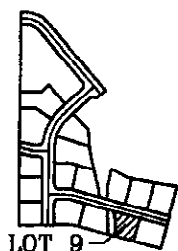
LANDSCAPE ARCHITECTS LLP

180 East Broadway Eugene, Oregon 97401

Phone: 841.486.7358 Fax: 841.486.7359



LOCATOR MAP



NOTES

1. LOT AREA = 11647 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET
3. TREE PRESERVATION PLAN APPROVED BY THE URBAN FORESTER ON XX/XX/02.

LEGEND

- TREES TO REMAIN
- Deciduous and evergreen trees significant in size, character, and location.
- TREES TO INITIALLY REMAIN
- Trees to remain but may be removed at owner's discretion.
- STREET TREES
- Proposed new street trees planted within R.O.W.
- Minimum recommendation at each lot frontage.
- Informal planting to reflect character of existing landscape.
- BUILDABLE AREA/DISCRETIONARY ZONE
- PROPERTY LINES
- PUBLIC/PRIVATE UTILITY EASEMENT
- SLOPE EASEMENT
- PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION ST01-4



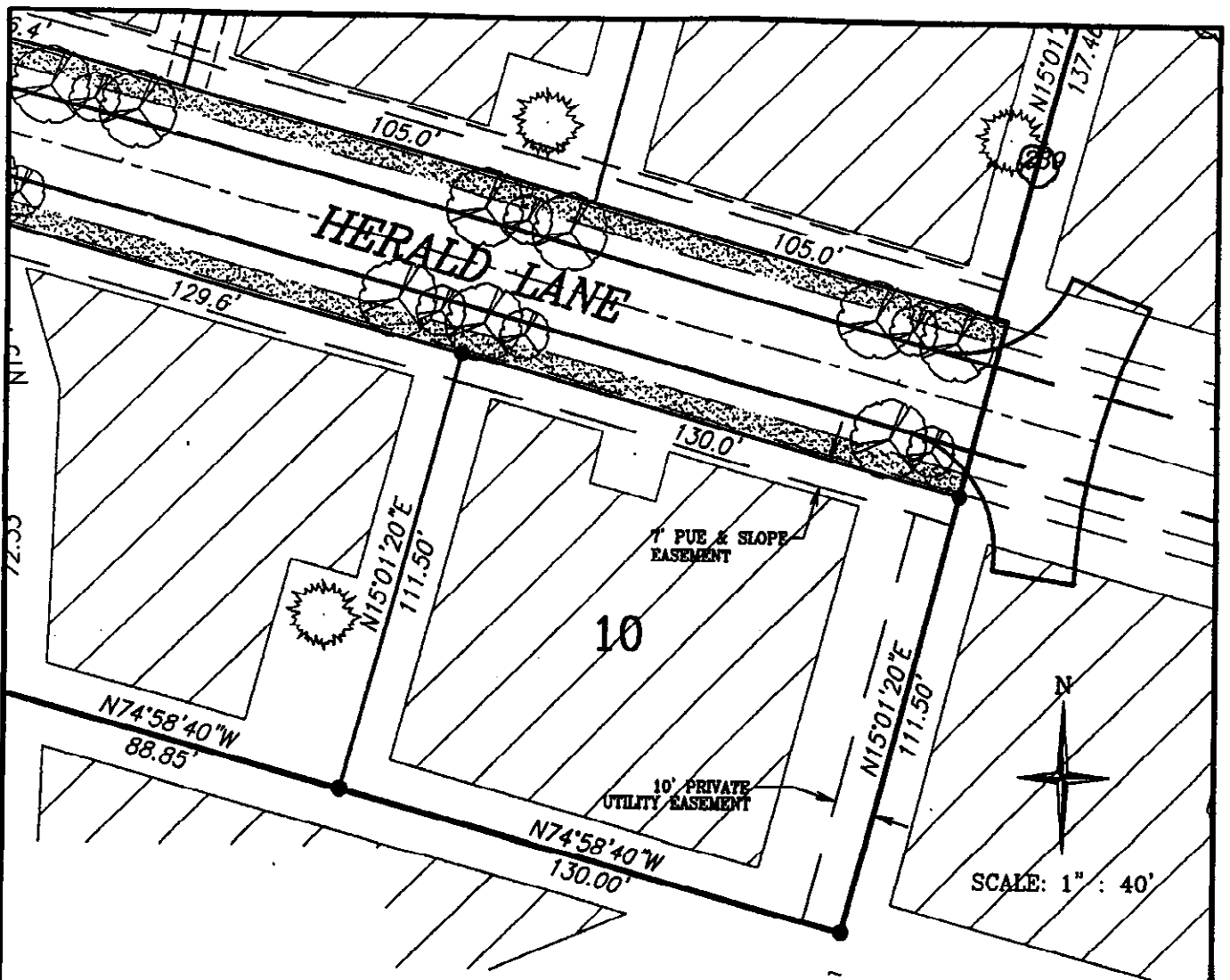
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1702 West 2nd, EUGENE, OREGON
(541) 687-5542

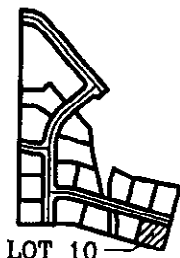


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Phone: 541.485.7355 Fax: 541.485.7359



LOCATOR MAP



LOT 10

NOTES

1. LOT AREA = 14495 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

LEGEND



TREES TO REMAIN
- Deciduous and evergreen trees significant in size, character, and location.



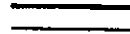
TREES TO INITIALLY REMAIN
- Trees to remain but may be removed at owner's discretion.



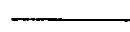
STREET TREES
- Proposed new street trees planted within R.O.W.
- Minimum recommendation of each lot frontage.
- Informal planting to reflect character of existing landscape.



BUILDABLE AREA/DISCRETIONARY ZONE



PROPERTY LINES



PUBLIC/PRIVATE UTILITY EASEMENT



SLOPE EASEMENT



PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

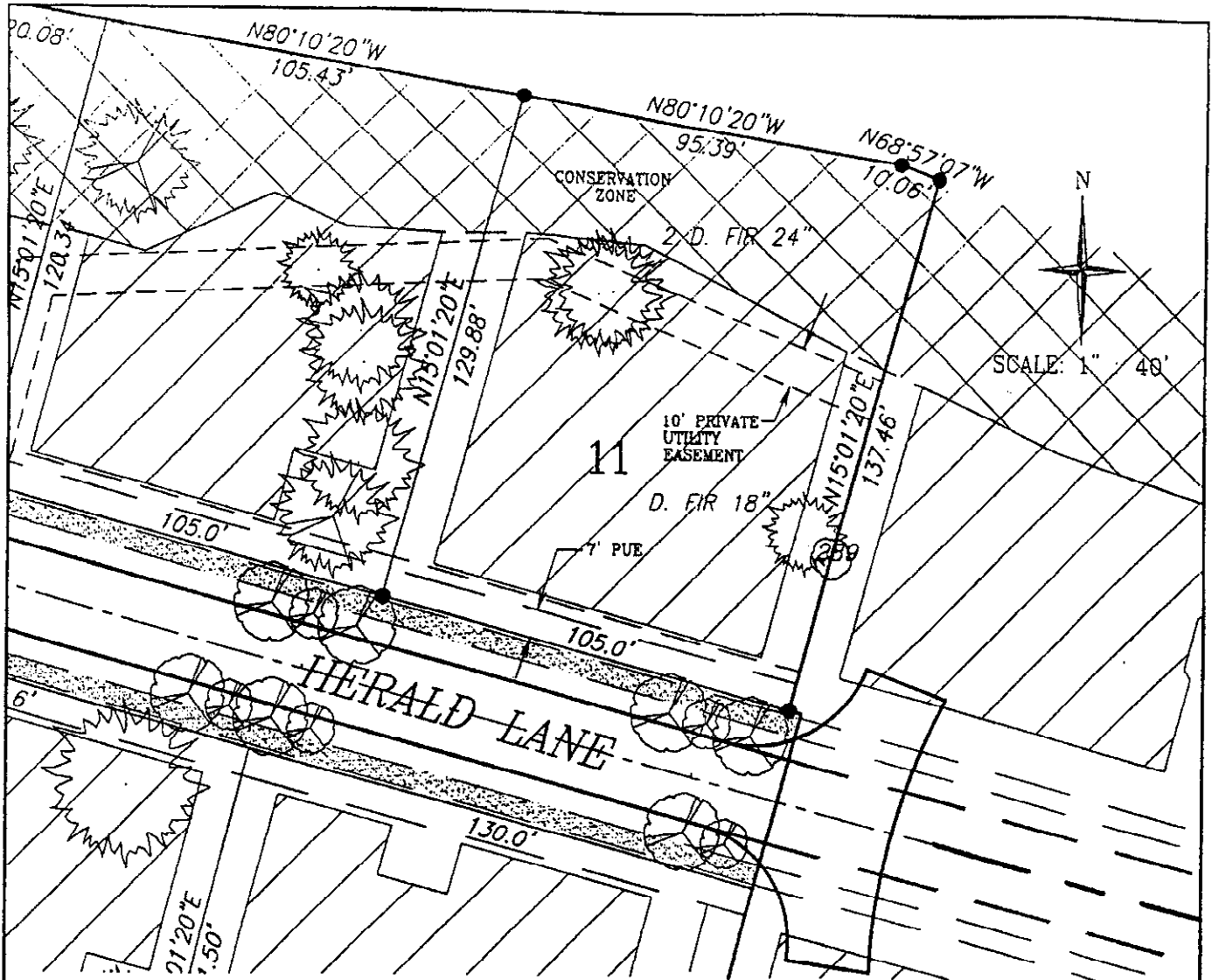
PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION ST01-4



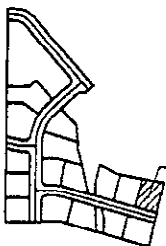
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LOCATOR MAP



NOTES

1. LOT AREA = 14129 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

TREE CLUSTERS

| | |
|-----|-----------|
| 239 | 1-18" FIR |
|-----|-----------|

LOT 11

LEGEND



TREES TO REMAIN
- Deciduous and evergreen trees significant in size, character, and location.



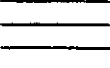
TREES TO INITIALLY REMAIN
- Trees to remain but may be removed at owner's discretion.



STREET TREES
- Proposed new street trees planted within R.O.W.
- Minimum recommendation at each lot frontage.
- Informal planting to reflect character of existing landscape.



BUILDABLE AREA/DISCRETIONARY ZONE



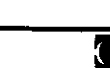
PROPERTY LINES



PUBLIC/PRIVATE UTILITY EASEMENT



SLOPE EASEMENT



PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION ST01-4



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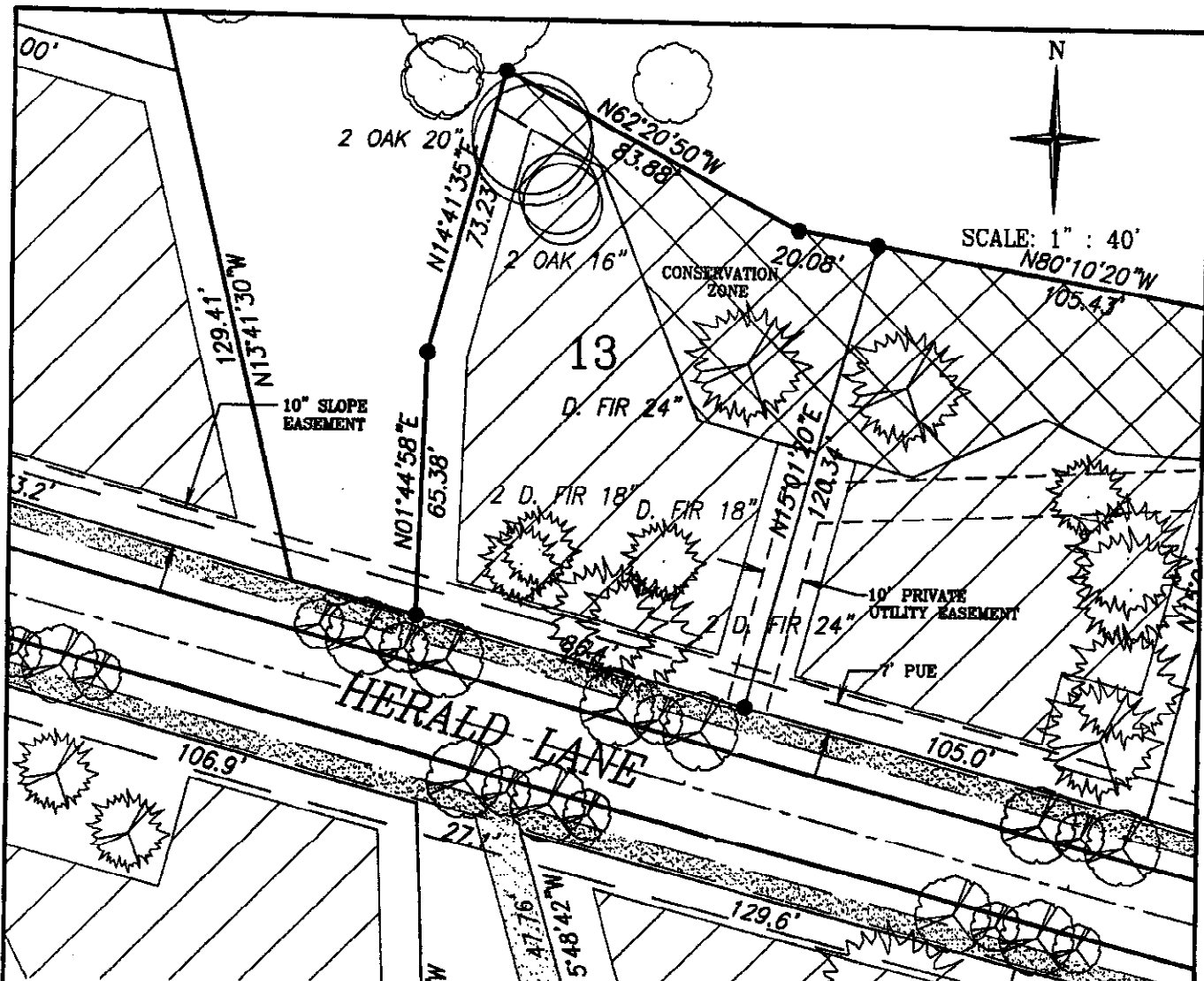


**CAMERON
McCARTHY
GILBERT
& SCHEIBE
LANDSCAPE ARCHITECTS LLP**

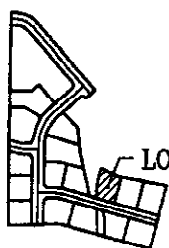
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CAMERON
McCARTHY
GILBERT
SCHEIBE



LOCATOR MAP



LOT 13

NOTES

1. LOT AREA = 12321 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

LEGEND



TREES TO REMAIN

- Deciduous and evergreen trees significant in size, character, and location.



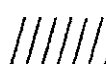
TREES TO INITIALLY REMAIN

- Trees to remain but may be removed at owner's discretion.



STREET TREES

- Proposed new street trees planted within R.O.W.
- Minimum recommendation of each lot frontage.
- Informal planting to reflect character of existing landscape.



BUILDABLE AREA/DISCRETIONARY ZONE



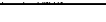
PROPERTY LINES



PUBLIC/PRIVATE UTILITY EASEMENT



SLOPE EASEMENT



PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION ST01-4



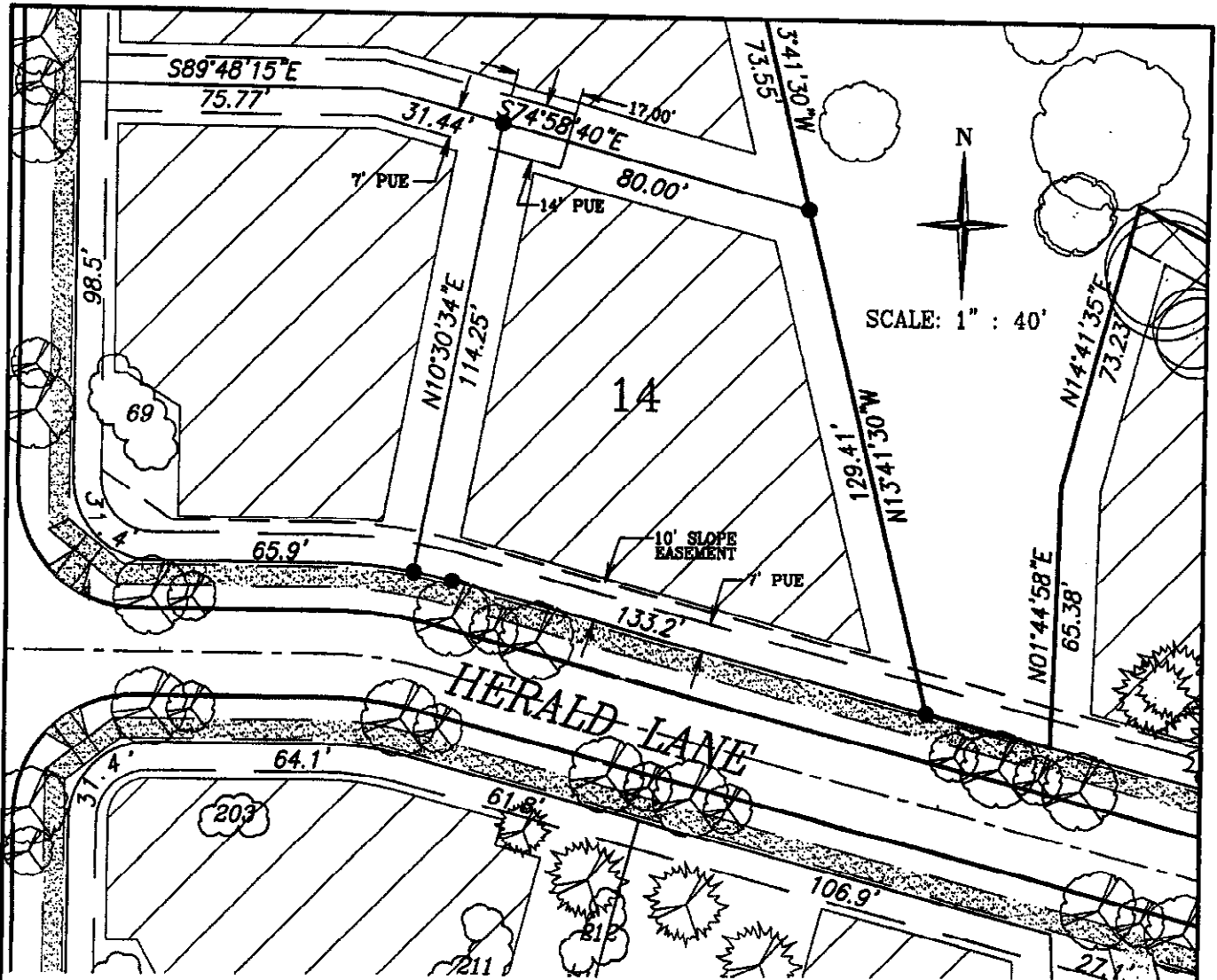
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(541) 687-0042

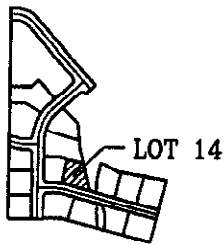


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Phone: 541.485.7355 Fax: 541.485.7389



LOCATOR MAP



NOTES

1. LOT AREA = 12101 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

LEGEND



TREES TO REMAIN
- Deciduous and evergreen trees significant in size, character, and location.



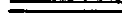
TREES TO INITIALLY REMAIN
- Trees to remain but may be removed at owner's discretion.



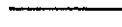
STREET TREES
- Proposed new street trees planted within R.O.W.
- Minimum recommendation at each lot frontage.
- Informal planting to reflect character of existing landscape.



BUILDABLE AREA/DISCRETIONARY ZONE



PROPERTY LINES



PUBLIC/PRIVATE UTILITY EASEMENT



SLOPE EASEMENT



PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION ST01-4



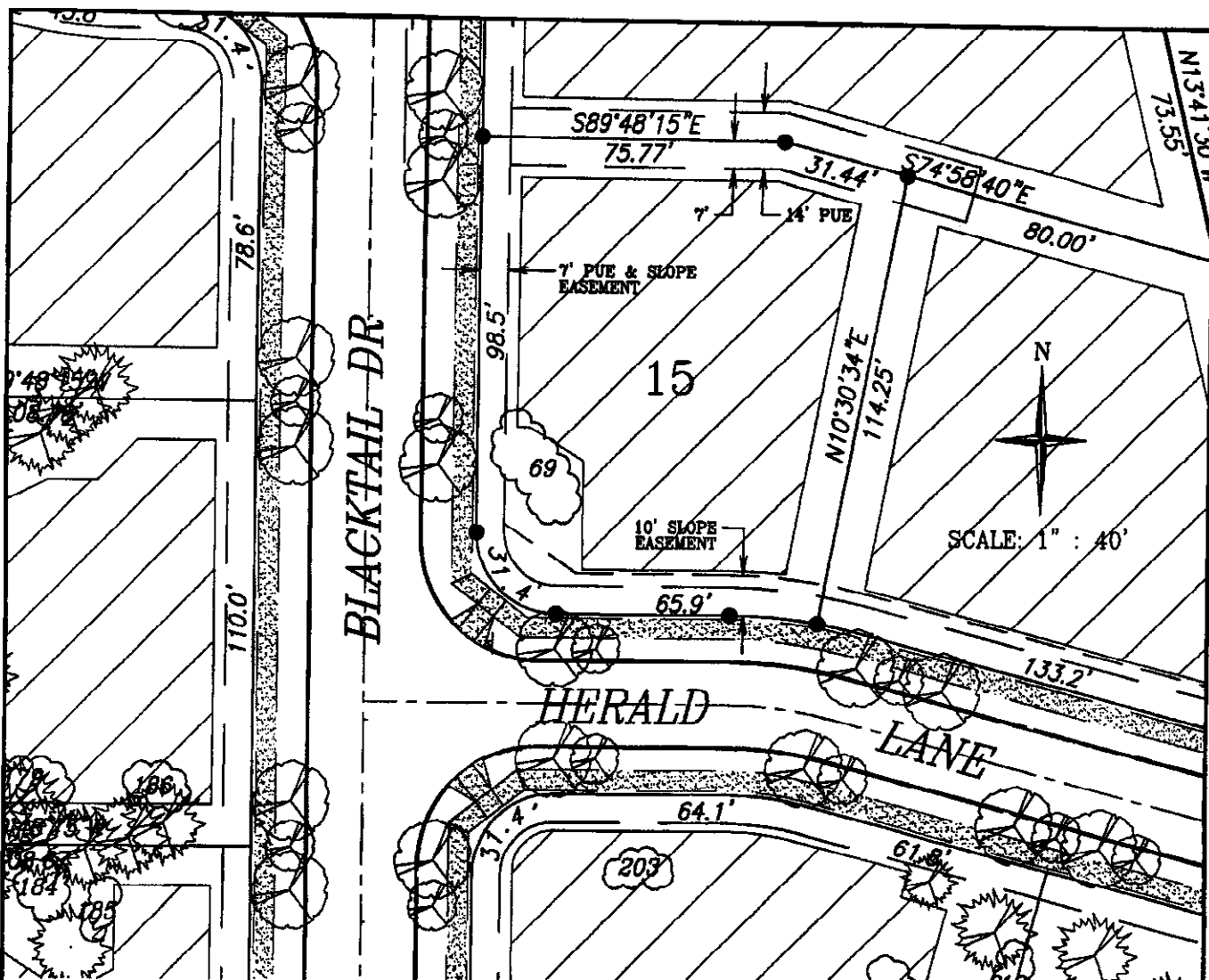
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1702 West 2nd, EUGENE, OREGON
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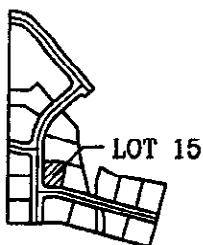


**CAMERON
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GILBERT
& SCHEIBE**

LANDSCAPE ARCHITECTS LLP
180 East Broadway Eugene, Oregon 97401
Phone: 541.485.7366 Fax: 541.485.7369



LOCATOR MAP



NOTES

1. LOT AREA = 11277 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

TREE CLUSTERS

| | |
|----|-----------|
| 69 | 3-12" FIR |
|----|-----------|

LEGEND



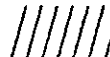
TREES TO REMAIN
- Deciduous and evergreen trees significant in size, character, and location.



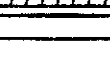
TREES TO INITIALLY REMAIN
- Trees to remain but may be removed at owner's discretion.



STREET TREES
- Proposed new street trees planted within R.O.W.
- Minimum recommendation at each lot frontage.
- Informal planting to reflect character of existing landscape.



BUILDABLE AREA/DISCRETIONARY ZONE



PROPERTY LINES



PUBLIC/PRIVATE UTILITY EASEMENT



SLOPE EASEMENT



PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION ST01-4



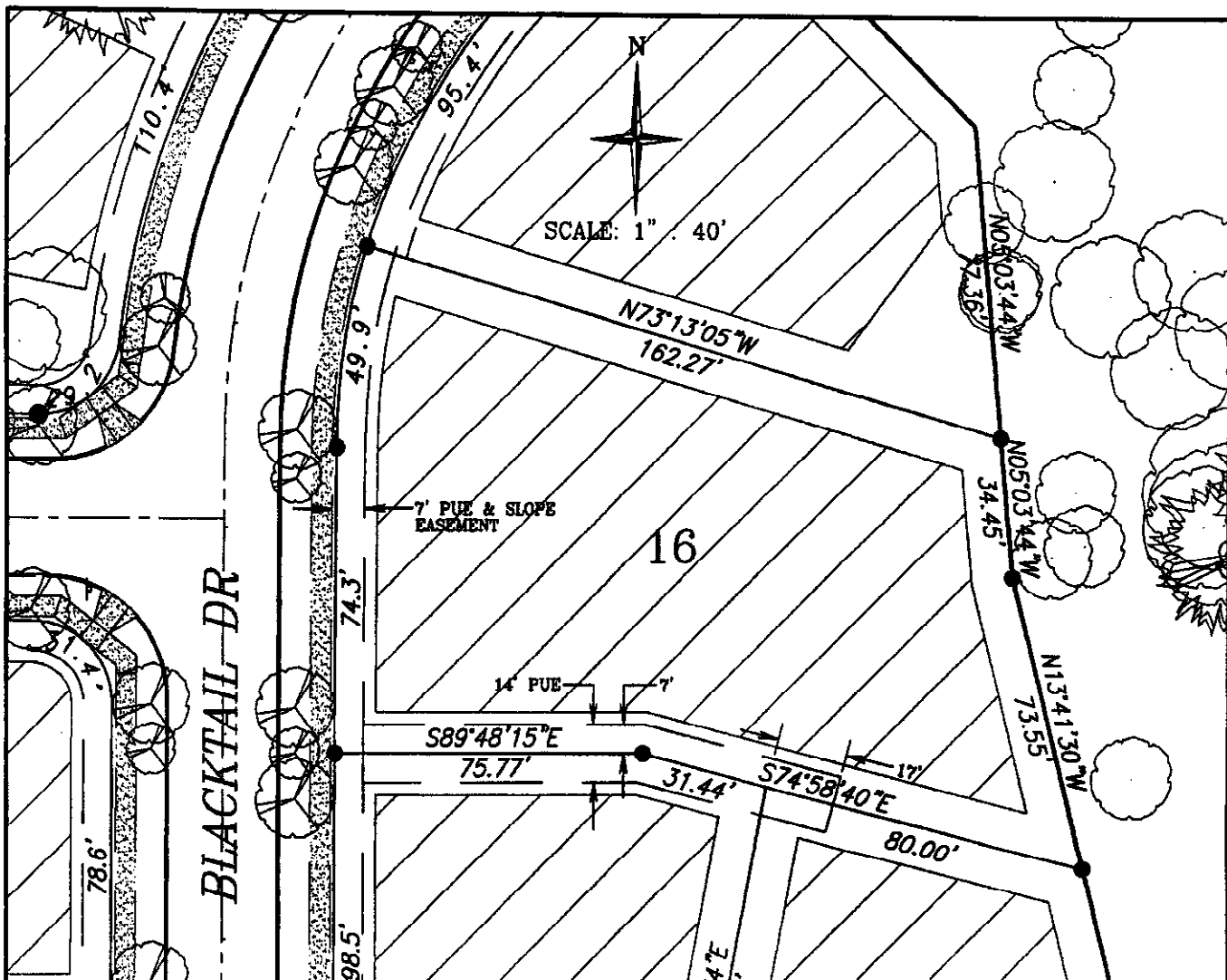
Goebel Engineering & Surveying

ENGINEERING SURVEYING PLANNING
1742 West 2nd, EUGENE, OREGON 97401
(541) 687-0541

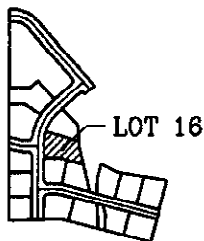


**CAMERON
McCARTHY
GILBERT
& SCHEIBE**

LANDSCAPE ARCHITECTS LLP
180 East Broadway Eugene, Oregon 97401
Phone: 641.455.7325 Fax: 641.455.7322



LOCATOR MAP



NOTES

1. LOT AREA = 18227 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

LEGEND



TREES TO REMAIN
- Deciduous and evergreen trees significant in size, character, and location.



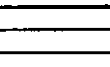
TREES TO INITIALLY REMAIN
- Trees to remain but may be removed at owner's discretion.



STREET TREES
- Proposed new street trees planted within R.O.W.
- Minimum recommendation at each lot frontage.
- Informal planting to reflect character of existing landscape.



BUILDABLE AREA/DISCRETIONARY ZONE



PROPERTY LINES



PUBLIC/PRIVATE UTILITY EASEMENT



SLOPE EASEMENT



PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDT01-11
SUBDIVISION ST01-4



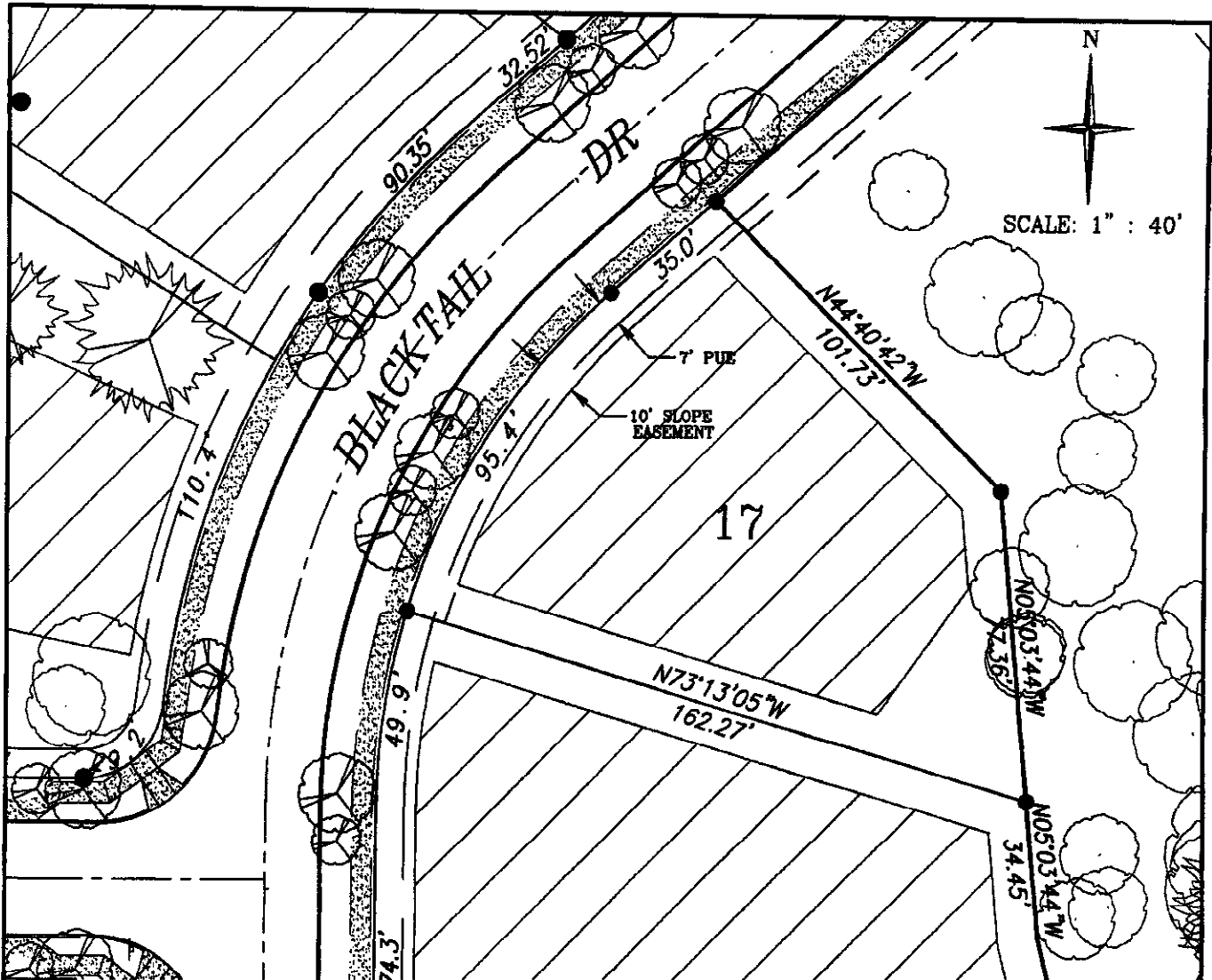
Goebel Engineering & Surveying

1762 West 2nd, EUGENE, OREGON 97401
(541) 687-0542

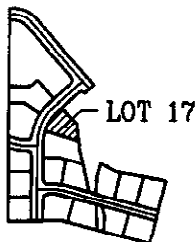


**CAMERON
Mc CARTHY
GILBERT
& SCHEIBE**

LANDSCAPE ARCHITECTS LLP
100 East Broadway Eugene, Oregon 97401
Phone: 541.486.7385 Fax: 541.486.7389



LOCATOR MAP



NOTES

1. LOT AREA = 13142 SQ. FT.
2. SANITARY SEWER SERVICE FROM STREET

LEGEND

- TREES TO REMAIN
- Deciduous and evergreen trees significant in size, character, and location.
- TREES TO INITIALLY REMAIN
- Trees to remain but may be removed at owner's discretion.
- STREET TREES
- Proposed new street trees planted within R.O.W.
- Minimum recommendation of each lot frontage.
- Informal planting to reflect character of existing landscape.
- BUILDABLE AREA/DISCRETIONARY ZONE
- PROPERTY LINES
- PUBLIC/PRIVATE UTILITY EASEMENT
- SLOPE EASEMENT
- PROPERTY MONUMENT WITH YELLOW PLASTIC CAP MARKED "G.E.S. PLS 2280"

TREE PRESERVATION, PLANNING AND REMOVAL PLAN BRAEWOOD WEST

LOT NUMBERS AS SHOWN REFERENCE FINAL SUBDIVISION PLAT
NUMBERS NOT THE FINAL PUD.

PLANNED DEVELOPMENT: PDTO1-11
SUBDIVISION ST01-4



Goebel Engineering & Surveying

1702 West 2nd, EUGENE, OREGON
(503) 327-2042



**CAMERON
McARTHUR
GILBERT
& SCHEIBE**

LANDSCAPE ARCHITECTS LLP
100 East Broadway Eugene, Oregon 97401
Phone: 541.485.7369 Fax: 541.485.7369



AFTER RECORDING RETURN TO:

The Piculell Group
4820 S.W. Scholls Ferry Rd.
Portland, OR 97225

FIRST AMENDMENT TO
DECLARATION OF BRAEWOOD WEST
PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS

This is an amendment to the Declaration of Braewood West Protective Covenants, Conditions and Restrictions.

- * Arthur C Piculell Jr. & Dee W. Piculell
1. The Declarants created that certain Declaration of Braewood West Protective Covenants, Conditions and Restrictions which were recorded in Lane County, Oregon Deeds and Records Reception No. 2003-114112 of Plat records of Lane County.
 2. Declarants pursuant to ARTICLE III, GENERAL PROVISIONS, 1. TERM AND AMENDMENT have the sole and exclusive authority to terminate, revoke or amend these covenants and restrictions until the last lot has been sold and built upon.
 3. Declarants desire to amend the Residential Covenant in Paragraph Two (2) and Paragraph Nineteen (19) of ARTICLE I. of the Declaration.

NOW, THEREFORE, Declarants hereby amend ARTICLE I. RESIDENTIAL COVENANTS of the declarations as set forth below:

1. Paragraph 2 is deleted and the following paragraph is substituted:
 - a. Paragraph 2 shall read as follows:
2. DWELLING SIZE/SETBACKS

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

FIRST AMENDMENT TO DECLARATION OF
BRAEWOOD WEST PROTECTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS

Page 2

required by these CC&Rs. Minimum setbacks from streets/property lines shall be as follows: Front yard – the greater of ten (10) feet (eighteen (18) feet for garage doors) or the setback required by Discretionary Zone; interior side yard – the greater of five (5) feet or the setback required by Discretionary Zone; corner lot side yard – the greater of P.U.E plus five (5) feet or the setback required by Discretionary Zone; rear yard – the greater of ten (10) feet or the setback required by Discretionary Zone.

2. Paragraph 19 is deleted and the following paragraph is substituted:
 - a. Paragraph 19 shall read as follows:

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 Architectural 80 fiberglass shingles (no 3-tab roofing materials allowed) that meet or exceed the following criteria: (A) Minimum manufacturer's warranty of 40 years, (B) Minimum weight of 290 U.S. pounds per square (100 square feet), (C) Class A fire and wind rating from Underwriters Laboratories Inc. (UL). 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.

FIRST AMENDMENT TO DECLARATION OF
BRAEWOOD WEST PROTECTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS

Page 3

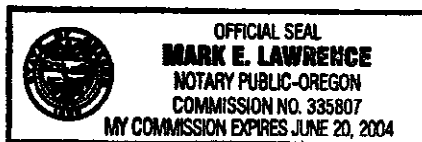
IN WITNESS WHEREOF, the undersigned, being Declarants herein, have set their hand
this 30th day of January, 2004.



ARTHUR C. PICULELL, JR.


DEE W. PICULELL

STATE OF OREGON)
)
COUNTY OF WASHINGTON)

I, Mark E. Lawrence, a Notary Public for the State of Oregon, hereby certify that of the
30th day of January, 2004, personally appeared before me Arthur C. Piculell, Jr. and Dee W.
Piculell, who being duly sworn did acknowledge the execution of the foregoing instrument to be
their free and voluntary act.




Notary Public for Oregon
My Commission expires: 6/20/04

After Recording Return To:

5
12
11
The Piculell Group, Inc.
4820 SW Scholls Ferry Road
Portland, OR 97225

Division of Chief Deputy Clerk
Lane County Deeds and Records

2004-049646



\$36.00

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06/29/2004 02:05:56 PM

RPR-AMEN Cnt=1 Stn=15 CASHIER 01
\$15.00 \$10.00 \$11.00

SECOND AMENDMENT TO
DECLARATION OF BRAEWOOD WEST
PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS

This is an amendment to the Declaration of Braewood West Protective Covenants, Conditions and Restrictions.

1. The Declarants, Arthur C. Piculell, Jr. and Dee W. Piculell, created that certain Declaration of Braewood West Protective Covenants, Conditions and Restrictions which were recorded in Lane County, Oregon Deeds and Records Reception No. 2003-114112 of Plat records of Lane County.
2. Declarants pursuant to ARTICLE III, GENERAL PROVISIONS, 1. TERM AND AMENDMENT have the sole and exclusive authority to terminate, revoke or amend these covenants and restrictions until the last lot has been sold and built upon.
3. Declarants desire to amend the Residential Covenant in Paragraph Two (2) of ARTICLE I. of the Declaration.

SECOND AMENDMENT TO DECLARATION OF
BRAEWOOD WEST PROTECTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS

Page 2

NOW, THEREFORE, Declarants hereby amend ARTICLE I. RESIDENTIAL COVENANTS of the declarations as set forth below:

1. Paragraph 2 is deleted and the following paragraph is substituted:
 - a. Paragraph 2 shall read as follows:

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:

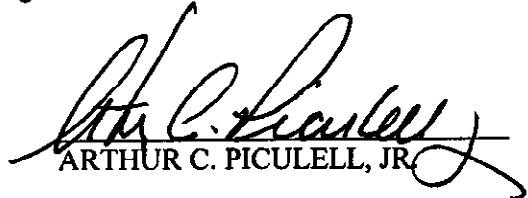
- A. That which is required in the City of Eugene Land Use Code, and
- B. That which is shown on the Braewood West CC&Rs Tree Preservation, Planning and Removal Plan Braewood West (distance from "buildable area" to property lines), and as prescribed within the Braewood Hills 3rd Addition Planned Unit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

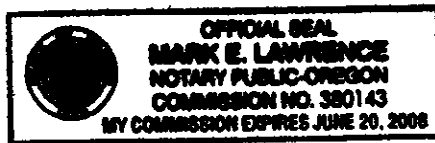
Notwithstanding the above, the minimum front yard setback for Lots 11 through 13 shall be the greater of a) ten (10) feet for garages with side entry (18 feet when garage faces the street) or b) the setback required by Discretionary Zone.

SECOND AMENDMENT TO DECLARATION OF
BRAEWOOD WEST PROTECTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS

Page 3

IN WITNESS WHEREOF, the undersigned, being Declarants herein, have set their hand
this 22nd day of June, 2004.

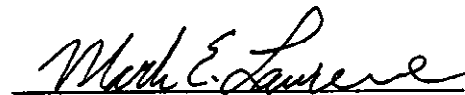

ARTHUR C. PICULELL, JR.




DEE W. PICULELL

STATE OF OREGON)
)
COUNTY OF WASHINGTON)

I, Mark E. Lawrence, a Notary Public for the State of Oregon, hereby certify that of the
22nd day of June, 2004, personally appeared before me Arthur C. Piculell, Jr. and Dee W.
Piculell, who being duly sworn did acknowledge the execution of the foregoing instrument to be
their free and voluntary act.


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



After Recording Return To:

The Piculell Group, Inc.
4820 SW Scholls Ferry Road
Portland, OR 97225

THIRD AMENDMENT TO
DECLARATION OF BRAEWOOD WEST
PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS

This is an amendment to the Declaration of Braewood West Protective Covenants, Conditions and Restrictions.

1. The Declarants, Arthur C. Piculell, Jr. and Dee W. Piculell, created that certain Declaration of Braewood West Protective Covenants, Conditions and Restrictions which were recorded in Lane County, Oregon Deeds and Records Reception No. 2003-114112 of Plat records of Lane County.
2. Declarants pursuant to ARTICLE III, GENERAL PROVISIONS, 1. TERM AND AMENDMENT have the sole and exclusive authority to terminate, revoke or amend these covenants and restrictions until the last lot has been sold and built upon.
3. Declarants desire to amend the Residential Covenant in ARTICLE I of the Declaration.

NOW, THEREFORE, Declarants hereby amend ARTICLE I RESIDENTIAL COVENANTS of the declarations as set forth below:

1. Paragraph 30 is added:
 - a. Paragraph 30 shall read as follows:

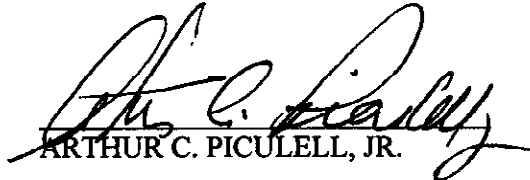
THIRD AMENDMENT TO DECLARATION OF
BRAEWOOD WEST PROTECTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS

Page 2

30. HOMEOWNER'S ASSOCIATION

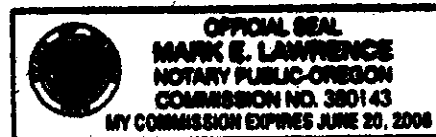
All original purchasers of lots within Braewood West are required to become members of the Braewood Homeowner's Association (the "Association") and to abide by all rules, regulations and conditions of membership of the Association and to promptly pay all Association dues and assessments when billed.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

IN WITNESS WHEREOF, the undersigned, being Declarants herein, have set their hand this 20th day of July, 2004.

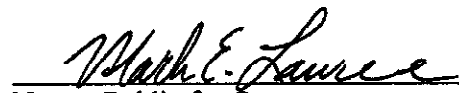

ARTHUR C. PICULELL, JR.


DEE W. PICULELL

STATE OF OREGON)
)
COUNTY OF WASHINGTON)



I, Mark E. Lawrence, a Notary Public for the State of Oregon, hereby certify that of the 20th day of July, 2004, personally appeared before me Arthur C. Piculell, Jr. and Dee W. Piculell, who being duly sworn did acknowledge the execution of the foregoing instrument to be their free and voluntary act.


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