

DECLARATION OF RESTRICTIONS
PLUM CREEK EAST

WHEREAS, the undersigned are all of the owners of all of the land described on Exhibit "A" which is attached hereto and made a part hereof; and

WHEREAS, the undersigned have requested the CITY OF MUSKEGO, hereinafter referred to as "CITY", to rezone all of said land from R-S-2 to R-S-2 O.P.D.; and

WHEREAS, the CITY has approved the concept of such a change; and

WHEREAS, the undersigned now wishes to develop said property in phases; and

WHEREAS, the undersigned wishes the zoning of the phase it now wishes to develop be amended to a forty (40) lot subdivision known as Plum Creek East as shown on Exhibit "B", and

WHEREAS, the proposed phase does not in itself support the zoning change requested, but the property described on Exhibit "A" taken as a whole does support such a change if developed in accord with the concept which has been approved; and

WHEREAS, the undersigned wishes the CITY to enact the R-S-2 O.P.D. zoning for the phase now to be developed and is willing to restrict the use of the remaining land to 61 single family lots.

NOW, THEREFORE, BE IT RESOLVED, for valuable consideration acknowledged by the undersigned, the following:

1. All of the land described on Exhibit "A" is now restricted to be used as land subject to a R-S-2 O.P.D. zoning, subject to the use of land being made in the prior phase or phases and further subject to all necessary future CITY approvals; and
2. No development of the land described in Exhibit "A" other than that in the phase now being rezoned is allowed without future CITY approval; and
3. This restriction, in part, restricts the maximum density to which the remaining lands subject to this restriction can be developed and may require certain open space requirements; and
4. All lands described on Exhibit "A" are subject to all agreements of the undersigned, but not a Subdivider's Agreement.
5. These restrictions are covenants running with the land.

EXHIBIT "A" (ATTACH TO DECLARATION OF RESTRICTIONS)

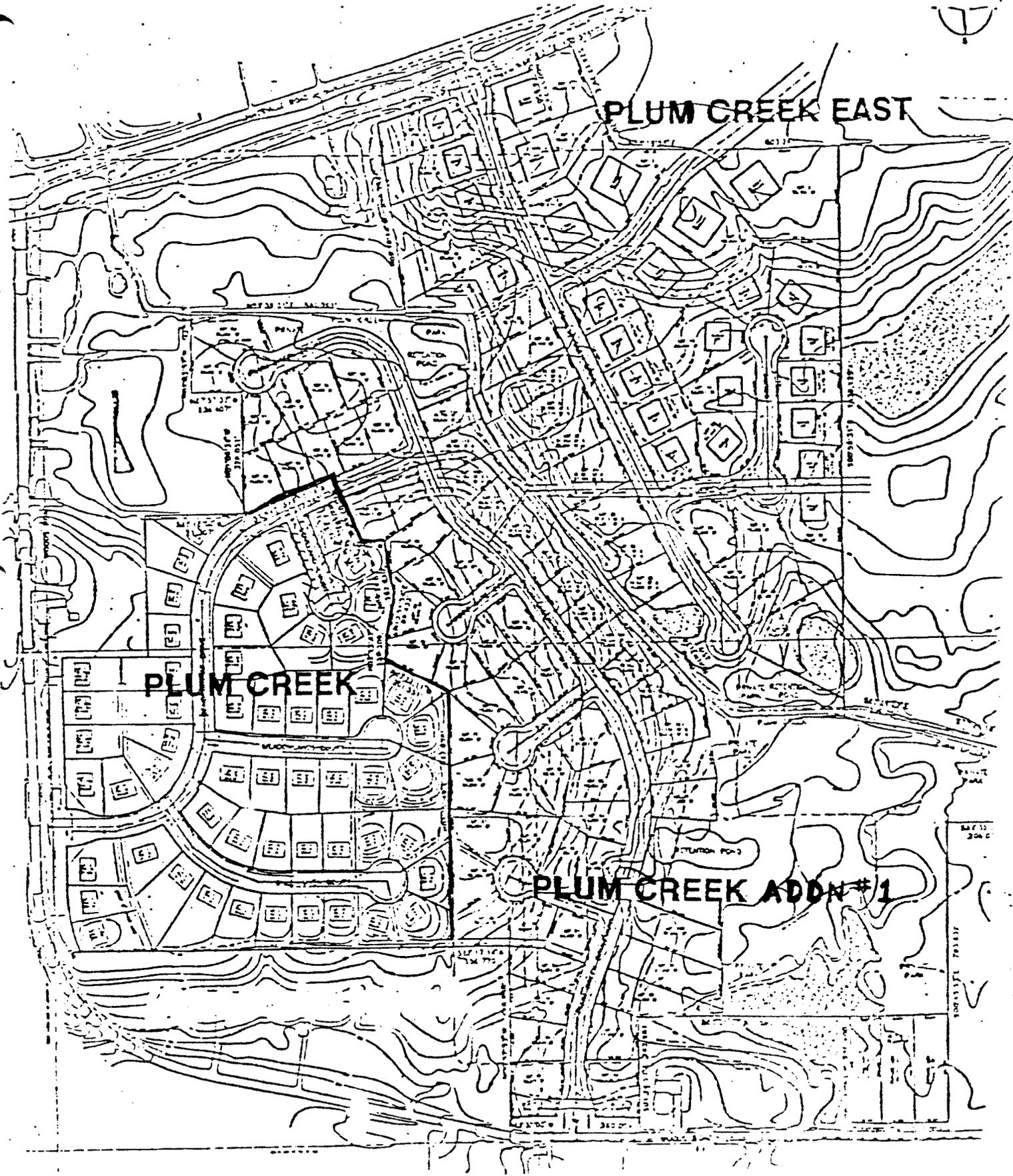


EXHIBIT "B"

PLUM CREEK EAST

