





Clackamas County Official Records  
Sherry Hall, County Clerk

2008-003220



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Return to:  
Parker Development  
1750 Blankenship Road  
Suite 200  
West Linn, OR 97068

## DECLARATION OF ANNEXATION OF BEACON HILLS ESTATES

City of West Linn, Clackamas County, Oregon

This Declaration of Annexation of Beacon Hills Estates ("Declaration") is made this  
14 day of December 2007, by Parker Development Northwest, Inc.  
("Declarant").

Declarant owns the following described land in West Linn, Oregon: "Beacon Hills Estates," recorded January 15, 2008 as Plat No. 4201, Plat Records, Clackamas County Oregon. Majestic Homes, Inc., recorded the Declaration of Protective Covenants, Conditions, Restrictions, and Easements Affecting Barrington Heights North ("BHN Declaration"), December 17, 1999, as Document No. 99-115680, Records of Clackamas County, Oregon. The Declaration was amended by First Amendment to the Declaration of Covenants, Conditions and Restrictions and General Description of Plan of Development for Barrington Heights North, recorded July 30, 2003, as Document No. 2003-098765 in the Records of Clackamas County, Oregon. The Bylaws of Barrington Heights Association of Homeowners ("Bylaws"), were recorded October 19, 1989, as Document No. 89-46792, Records of Clackamas County, Oregon. Declarant hereby annexes "Beacon Hills Estates" to the BHN Declaration, as amended, and submits "Beacon Hills Estates" to the jurisdiction of the Barrington Heights Association of Homeowners ("Association") and the provisions of the Bylaws and any amendments thereto. The BHN Declaration applies except as follows:

## I. Architectural Design.

- 1.1 All residences shall have a wood shake roof or a roof comprised of other material (including tile or composite) authorized by Design Guidelines adopted by the Architectural Review Committee and approved by the Board.
- 1.2 All residences shall be double constructed (beveled) with wood cedar siding, siding comprised of other material authorized by Design Guidelines adopted by the Architectural Review Committee and approved by the Board, or brick or stone authorized by Design Guidelines adopted by the Architectural Review Committee and approved by the Board. High-quality synthetic brick or stone may also be used if approved by the Architectural Review Committee or the Board. No T-1-11 siding is allowed.
- 1.3 Wood windows or equivalent vinyl-clad or comparable quality windows authorized by Design Guidelines adopted by the Architectural Review Committee and approved by the Board are required on all windows visible from the street.
- 1.4 Skylights forward of roof ridge line must be approved by the Architectural Review Committee.
- 1.5 Appeal.
  - (a) Any owner adversely impacted by action of the Architectural Review Committee may appeal the action to the Board of Directors.
  - (b) Appeals must be made in writing within ten (10) days of the Architectural Review Committee's action and must contain specific objections or mitigating circumstances justifying the appeal. A final, conclusive decision must be made by the Board of Directors within fifteen (30) working days after receipt of the appeal. The determination of the Board is final.
- 1.6 Nonwaiver, Precedent and Estoppel. Approval or disapproval by the Architectural Review Committee of any matter proposed to it or within its jurisdiction may not be deemed to constitute precedent, waiver or estoppel impairing its right to withhold approval or grant approval as to any similar matter thereafter proposed or submitted to it.

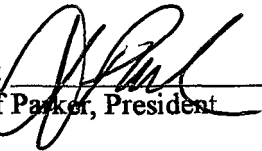
## II. Maintenance of Tract A and Private Roadway.

- 1.1 Tract A, as depicted in the Plat shall have all upkeep costs borne by the City of West Linn.
- 1.2 The Private Roadway as depicted in the Plat shall have all upkeep costs borne by Lots 2, 3, 4 and 5. Such costs shall constitute an Individual Assessment as provided in Section 7.8 of the BHN Declaration, and shall be governed by the provisions of the BHN Declaration and the Bylaws.

III. Declarant's Assessments. Lots owned by Declarant shall not be subject to Assessments until such time as the Lot is occupied for a residential use, as applicable, subject to accrual of reserves as provided in Section 7.10 of the BHN Declaration.

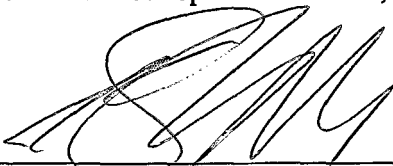
IV. Conflict Between Provisions of Declaration and BHN Declaration. To the extent that provisions in the Declaration conflict with these exceptions, these exceptions shall control.

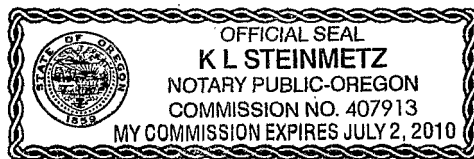
Parker Development Northwest, Inc.

By:  Date: 12-14-07  
Jeff Parker, President

STATE OF OREGON, County of Clackamas)ss

The foregoing instrument was acknowledged before me this 14 day of December, 2007, by Jeff Parker as President of Parker Development Northwest, Inc., an Oregon corporation, on its behalf.

  
\_\_\_\_\_  
Notary Public for Oregon

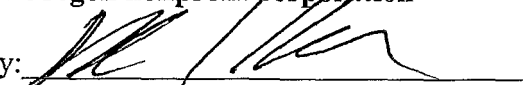


**BARRINGTON HEIGHTS  
ASSOCIATION OF HOMEOWNERS  
CONSENT TO ANNEXATION**

The undersigned hereby consents to the annexation of Beacon Hills Estates to the jurisdiction of Barrington Heights Association of Homeowners, an Oregon nonprofit corporation, in accordance with the within Declaration of Annexation of Beacon Hills Estates.

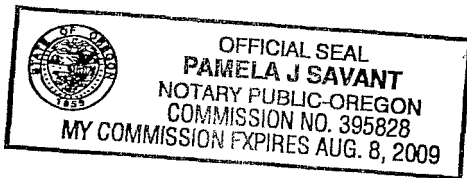
DATED 20 NOVEMBER, 2007.


**BARRINGTON HEIGHTS  
ASSOCIATION OF HOMEOWNERS,  
an Oregon nonprofit corporation**

By:   
Douglas Kohlert, President

STATE OF OREGON            )  
  ) ss  
County of CLATSOP        )

The foregoing instrument was acknowledged before me this 20 day of November, 2007, by Douglas Kohlert, President, of Barrington Heights Association of Homeowners, an Oregon nonprofit corporation, on its behalf.



  
Notary Public for Oregon  
My Commission Expires: 8/8/09