

**WILD RIVER OWNERS ASSOCIATION**  
53525 Wild River Way  
La Pine, OR 97739

**RULES AND REGULATIONS**

The following Rules and Regulations (“Rules”) provide current and prospective property owners with written reference to how the Board and ARC interpret and intend to enforce the Wild River CC & R’s. These Rules are intended to supplement (not replace) the CC & R’s. Wherever applicable, the Rules accompany the corresponding provision from the CC & R’s for easier reference. If there is no Rule corresponding to a particular provision in the CC & R’s, it is because the Board and ARC have determined that the language in the CC & R’s is adequate and does not need further explanation.

The language of the CC & R’s is fixed, although changes may occur subject to a 75% majority vote of Wild River property owners. The Rules, however, may be amended by the Board as needs arise. Thus, the Rules and Regulations document will continue to evolve and undergo updates over time.

If questions and/or suggestions should arise amongst the membership, property owners are encouraged to contact the WROA at the above address. Please bear in mind that **except where WROA Rules are more restrictive or specifically outlined, Deschutes County rules prevail over the Wild River community. Also, any existing regulations created by any governmental agency (County, State, Federal) apply and will be enforced by the Wild River ARC.** (Effective November 12, 2004)

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*From CC & R’s – **ARTICLE VI, ARCHITECTURE REVIEW COMMITTEE, Section 5 – Duties and Rules.** The Architecture Review Committee shall consider and act upon all matters properly submitted to it pursuant to this Declaration. In furtherance of this function, the Architecture Review Committee may, by unanimous vote, from time to time and in its sole discretion, adopt, amend, and repeal rules and regulations to be known as the “Architecture Review Committee Rules” establishing its operating procedures and interpreting, detailing and implementing the provisions of the instruments pursuant to which it is charged with responsibility. The Architecture Review Committee may establish a reasonable fee to be paid to it to cover its costs incurred in considering and acting upon matters submitted to it. Such fees shall be paid into the maintenance fund of the Association. A current copy of the Architecture Review Committee Rules shall be kept on file by the Association. Such rules shall have the same force and effect as if set forth herein.*

From **Rules and Regulations (July 1, 1999) – Article VI, Section 5 – ARC Rules and Fees.** The ARC has established guidelines regarding construction and modifications to property and improvements in Wild River. Prior to expending energy or funds toward the design of a building project in Wild River or applying for a building permit, the property owner is advised to consult the ARC Guidelines to ensure compliance. (Refer to **Article VI, Section 6, and Article VII, Sections 2 and 20** for guidelines regarding consent.) The ARC has established a fee schedule for new construction or remodel services. The fee schedule is published in the Guidelines.

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*From CC & R’s – **ARTICLE VI, ARCHITECTURE REVIEW COMMITTEE, Section 6 – Nonwaiver.** Consent by the Architecture Review Committee to any matter proposed to it or within its jurisdiction shall not be deemed to constitute a precedent or waiver impairing its right to withhold approval as to any similar matter thereafter proposed or submitted to it for consent.*

From **Rules and Regulations (July 1, 1999) – Article VI, Section 6 – Nonwaiver.** Prior consent by the ARC to any matter or the failure by WROA to enforce a provision in the CC & R’s cannot be relied upon to constitute a precedent or waiver impairing the right of the ARC to withhold approval for any similar matter or enforce any provision in the CC & R’s. Prior to proceeding with any matter which may be covered by the CC & R’s, WROA Rules and Regulations or the ARC Guidelines, property owners should submit proposals to the ARC.

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*From CC & R's – ARTICLE VII, RESTRICTION ON USE OF PROPERTY, Section 2 – Construction and Alterations of Improvements in Private Areas. No person, association, or owner shall construct or reconstruct any improvement on any lot or later refinish the exterior of any improvement on any lot, make any change in any lot, whether by excavation, fill, alteration of existing drainage, or the cutting or removal of vegetation, shrubs, or trees, install a utility, outside antenna, or other outside wire on a lot unless such person, association, or owner has first obtained the consent thereto of the Architecture Review Committee or such changes are made in accordance with the published rules of the Architecture Review Committee.*

From **Rules and Regulations (July 1, 1999) – Article VII, Section 2 – ARC Consent Required.** Almost any modification to a lot or the exterior of an improvement thereon requires advance **written** approval from the ARC, even if such modification does not require Deschutes County approval. Requests for approval will only be accepted **in written form.**

The Board and ARC interpret the specific activities detailed in this section of the CC & R's to include the construction of **FENCES. Except for privacy screening, fencing in general is discouraged. The ARC will judge each fence on an individual basis.** Only fences which do not violate a feeling of open space in the development will be allowed. The ARC will take into consideration such factors as location, exposure to public view, and natural screening in the immediate vicinity. Most fencing must be faced with materials, finish and color which are compatible with the principal structures on the site. **Solid fences** (those which cannot be seen through) which outline a property's boundaries are prohibited. However, solid wood fences connected to the principal structure on site and enclosing no more than 600 square feet will be allowed. **Barbed wire fences** are prohibited.

**Chain link fences** for any purpose, including a dog run, are prohibited. **(Effective January 1, 2015)**

**Dog runs:** Only one dog run will be allowed on each property. It may not enclose more than 400 square feet. The height restriction is five (5) feet. Trees, shrubs, bushes, etc. must be planted around the exterior perimeter to screen the fence.

**Privacy fencing:** Privacy fencing is generally prohibited, however the ARC may approve solid board privacy fencing subject to the following restrictions:

1. Location: Back door or patio area.
2. Height restriction: Maximum of five (5) feet.
3. Screening: Fence exterior to be screened by trees, shrubs, bushes, etc.
4. Clearance: Distance between the ground and bottom of the fence shall be a minimum of seven inches.

**Noise abatement fencing** along Burgess Road may be allowed subject to the following restrictions:

1. Location: Permission would be granted only along the property boundary which is adjacent to Burgess Road. Solid board fencing must be two (2) feet inside the property boundary.
2. Height restriction: Maximum of five (5) feet from the ground.
3. Screening: Exterior side to be screened with trees, shrubs, etc.; must be maintained by property owner.
4. Clearance: Distance between the ground and bottom of the fence shall be a minimum of seven inches.

**Condition and maintenance of fencing:** In all cases, the ARC reserves the right to demand removal of any fence which is allowed to deteriorate. **(Effective February, 2007)**

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*From CC & R's – ARTICLE VII, RESTRICTION ON USE OF PROPERTY, Section 3 – Maintenance of Lots. Each lot and its improvements shall be maintained in a clean and attractive condition, in good repair, and in such fashion as not to create a fire hazard.*

From **Rules and Regulations (July 1, 1999) – Article VII, Section 3 – Maintenance of Lots.** Each lot and its improvements thereon (including fences) shall be maintained in a clean and attractive condition and in good repair. Allowing one's lot to become a fire hazard or develop any condition which would render it a danger to neighboring properties is not permitted. Removal of bitterbrush, downed trees, limbs and undergrowth does not require ARC permission, however property owners must adhere to rules in Section 16 regarding standing trees. ARC permission is not required for yard debris burning, but burning is allowed only on private property (no burning on common area) and may proceed only with proper La Pine Fire Department permits. Burning within 10 feet of roadways is not allowed.

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*From CC & R's – ARTICLE VII, RESTRICTION ON USE OF PROPERTY, Section 4 – Type of Building.* No building other than a family dwelling for private use may be constructed on any lot. No mobile home or trailer may be used as a residence.

From **Rules and Regulations (July 1, 1999) – Article VII, Section 4 – Type of Building.** The Board and ARC interpret this section to limit buildings within Wild River to **single-family** dwellings and a limited number of outbuildings. No outbuildings will be allowed without a family dwelling also being built on the property. The term “for private use” is interpreted to prohibit short-term, transient (daily, weekly, or “vacation”) rentals of less than six (6) months’ duration.

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*From CC & R's – ARTICLE VII, RESTRICTION ON USE OF PROPERTY, Section 5 – Temporary Structures.* Temporary structures which have been approved by the Architecture Review Committee shall be permitted on a lot during the period of construction of a dwelling of a house. However, any such temporary structure shall be removed within 30 days after completion of the dwelling house or within one year after the date upon which the temporary structure was erected, whichever occurs first. Persons may reside on a lot during construction only in these approved structures.

From **Rules and Regulations (July 1, 1999) – Article VII, Section 5 – Camping/Temporary Structures.** Only with written ARC approval and only when owners are actively engaged in clearing their site or working on the construction of their dwelling are owners allowed to camp on their unimproved property. This provision is interpreted as prohibiting an unimproved property within Wild River (private or common area) from being used as a recreation camping site. Once a permanent dwelling is constructed on a property, casual, short-term camping may be permitted (eg children sleeping in a tent in the backyard or visitors sleeping in a motorhome in the driveway). “Short term” is defined as two weeks or less.

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*From CC & R's – ARTICLE VII, RESTRICTION ON USE OF PROPERTY, Section 7 – Appearance.* All garbage, trash, cuttings, refuse, or garbage containers, fuel tanks, clothes drying apparatus or lines, and other service facilities shall be screened from view from neighboring lots and common areas in a manner approved by the Architecture Review Committee.

From **Rules and Regulations (July 1, 1999) – Article VII, Section 7 – Appearance.** All garbage, trash, refuse, garbage cans and containers, fuel tanks, clotheslines, etc. must be screened from view in a manner approved in writing by the ARC. This provision is interpreted to also prohibit open view storage of non-operating vehicles, tools, equipment, stored building materials, or anything else which detracts from the appearance of the development. Large satellite dishes are discouraged. Firewood is to be stacked neatly. Use of tarpaulins or plastic covers other than clear, brown, black, or dark green in color is prohibited.

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*From CC & R's – ARTICLE VII, RESTRICTION ON USE OF PROPERTY, Section 8 – Signs.* No signs shall be placed or kept on a lot other than a sign 10” x 24” of a natural wood material with black lettering stating the name of the occupant and/or the lot, if any, and the address. Only signs provided by the Association shall be used to advertise a unit for sale.

From **Rules and Regulations (July 1, 1999) – Article VII, Section 8 – Signs.** A limited number of signs up to 18” x 24” will be allowed to be posted in Wild River. Contractor, sub-contractor, or architect signs may only be posted during construction or for six (6) months, whichever period is shorter. “Open House” or directional signs may be posted at the development entrance and on the property only during actual hours of showing. At no time will more than three signs be posted on a property. (The Fire Department’s reflective, green address signs or signs advising that a property is protected by a security service do not contribute to the three-sign limit.) Other than construction-related signs posted during construction and occasional “garage sale” type signs, no general advertising signs will be allowed. No sign shall be posted on a tree.

From **Rules and Regulations (July 1, 2006) – Article VII, Section 8 – Signs.** Real estate signs (For sale, rent or lease) must comply with the following guidelines:

- Size: Not to exceed 12” x 18”.
- Color: Torrey Pine/Sherwin-Williams SW Gloss 2834 (or equivalent) background with gold lettering.
- Mounting: 1” x 1” pointed angle iron (self-standing).
- Number of signs: One only allowed per lot (For Sale, For Rent or For Lease).
- Placement: Near the front lot line, facing the street. No signs allowed on side or rear lot lines which face common areas or residential parcels. No signs allowed in windows except approved block home stickers in designated homes.
- Signs must be removed from the property immediately upon sale, rent or lease.
- Directional signs (eg signs at the entrances to Wild River along Burgess Road) are not allowed.
- Informational (flyer) boxes are allowed, but must be attached on the stake below the For Sale sign. Flyer box fronts must be clear plastic, free of printing. **(Effective June 1, 2007)**
- Perma-flyers are not allowed. **(Effective June 1, 2012)**

**Signs which do not meet the above standards** will be removed from the premises without notification.

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*From CC & R's – ARTICLE VII, RESTRICTION ON USE OF PROPERTY, Section 11 – **Offensive or Commercial Activities.** No offensive or commercial activity shall be carried on in any lot, nor shall anything be placed or constructed on any lot or anything done on a lot which interferes with or jeopardizes the enjoyment of the other lots, common areas within, or private recreational areas.*

From **Rules and Regulations (July 1, 1999) – Article VII, Section 11 – Offensive or Commercial Activities.** The speed limit within Wild River is 15 miles per hour. No “off road” vehicles, including snowmobiles, ATV’s, mini-bikes, or any other motorized vehicle which is not equipped and registered for operation on the highways of the State of Oregon shall be operated within the boundaries of Wild River except when entering or exiting the development or to collect the mail or newspaper. Excessive noise from amplified sources is prohibited. The discharge of firearms within Wild River is prohibited under Deschutes County’s “No Shooting Zone” ordinance. **Any and all fireworks (including “safe and sane” and sparklers) are prohibited within Wild River at all times.**

**Commercial activity** within Wild River will be limited to any lawful occupation carried on by a resident in a dwelling or accessory building and will be allowed only under the following conditions:

- That there be no retail sales or sales accessory to a service.
- That there be no full-time employees except members of the immediate family.
- That no unreasonable parking problems are created for surrounding residents.
- That no sound, odor, or other by-product of such business becomes a nuisance to surrounding residents.
- That the external appearance of the premises is not affected in a way inconsistent with its use as a residence.

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*From CC & R's – ARTICLE VII, RESTRICTION ON USE OF PROPERTY, Section 14 – **Parking.** A minimum of two parking places must be provided for each lot and must meet the standards set by the Architecture Review Committee.*

From **Rules and Regulations (July 1, 1999) – Article VII, Section 14 – Parking.** Except while engaged in the specific activity for which it was designated (eg while delivering cargo to a destination within Wild River), no commercial or industrial vehicle with a gross vehicle weight rating of 10,000 lbs. or more will be operated or parked within the Wild River boundaries.

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*From CC & R's – ARTICLE VII, RESTRICTION ON USE OF PROPERTY, Section 16 – **Planting.** No trees, shrubs, or other vegetation shall be planted on a lot or removed therefrom without written Architecture Review Committee consent or in accordance with published rules of the Architecture Review Committee.*

From **Rules and Regulations (July 1, 1999) – Article VII, Section 16 – Trees.** No standing tree in excess of six (6) inches in diameter at the stump (measured 24 inches from the ground) may be removed from any property in Wild River without advance written consent from the ARC. Any violation of this provision may result in the following:

- WROA may seek a court order to require the offender to replace the removed tree with a tree of approximately the same size, plus reimburse the Association for the cost of obtaining such court order, **and/or**
- WROA may impose a fine of up to \$10,000.

Until further notice, written permission from the ARC is not required to plant trees, shrubs, or other vegetation.

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*From CC & R's – ARTICLE VII, RESTRICTION ON USE OF PROPERTY, Section 17 – **Uses Prohibited Without the Consent of Association.** Unless the Association has consented in writing, no parts of said property shall be used in any of the following ways:*

- (a) *As a parking or storage place on a permanent basis for trailers, truck campers, boats, boat trailers, snowmobiles, or other off-road vehicles.*
- (b) *As a place to raise domestic animals of any kind, except for a reasonable number of usual household pets which are not kept, bred, or raised for commercial purposes and which are not a nuisance to other owners.*
- (c) *As a place to burn trash, cuttings, or other items, with the exception of barbecue fires.*

From **Rules and Regulations (July 1, 1999) – Article VII, Section 17(a) – Parking/Storage of RV's, Boats, etc.**

#### **RECREATIONAL VEHICLE PARKING AND SCREENING RULE**

**Background:** The WROA Board of Directors believes that since most lots in Wild River are relatively small, the open storage of recreational vehicles, boats, utility trailers, and similar items may create negative visual impact to the community. The Board further believes it is responsible to regulate the storage of such items because the original and still binding restrictive covenants of Wild River dictate that the storage of such items shall be allowed **only with written permission from the Association.**

Owners of recreational vehicles as described below who do not have an approved permanent RV parking application on record will only be allowed to park an RV on any developed lot in Wild River for a maximum of 14 days (cumulative total) per year. Should an RV be parked longer than 14 days per year in a location that has not been approved, a Class E fine (\$50) per day may be assessed against the lot owner. (Note: The 14-day temporary parking allowance may be extended by special permission from the Board or ARC, subject to prior written notification.)

**RV Parking Requirements:** Recreational vehicles, including but not limited to trailers, fifth-wheel trailers, motorhomes, motor coaches, campers, boats, snowmobiles, off-road vehicles, and any other recreational “toys” (vehicles) and their associated trailers, may be parked or stored on a permanent basis within Wild River so long as such items are contained in garages or other buildings that have been approved by the ARC **or** shielded from view of neighbors and roads by buildings, vegetation, or any other structure or screening apparatus constructed with advance written approval from the ARC.

1. On an occasional basis, temporary unscreened storage of up to two weeks per year on any occupied lot within Wild River may be allowed.
2. Only one location to permanently park RV's will be allowed per lot. It is very possible, especially with the ever-increasing size of homes being constructed in Wild River, that some lots will not be able to accommodate **any** RV parking sites. With careful planning, other lots may accommodate an RV parking site. Owners are encouraged to consult with ARC members about strategies for locating and screening RV parking sites.

3. Permanent RV parking locations shall meet the same lot setback distances that are required for permanent buildings (eg 20 feet from the front property line and 10 feet from the side and rear property lines) except for parking locations approved prior to the date of adoption of this revised rule.
4. The ARC suggests that a tentative RV parking area be included when submitting new building plans. This will help ensure RV storage compatibility later on. Note: RV site selection is suggested, but not required.
5. No storage of recreational vehicles described above will be allowed on undeveloped lots.
6. An application for an RV parking space must state the maximum height and length of the RV that will be accommodated.
7. An approved site shall be located so as to visually impact the owners of the site to a greater extent than their adjoining neighbors or common areas.

**RV Screening Requirements:** Screening is defined as any ARC-approved method to conceal the article being screened from view by your neighbors. It may include fencing, vegetation, another structure (such as a garage), or a combination of these elements. Screening does not necessarily conceal the article being screened, but screening does substantially break up the view of it. As each lot is unique, approved screening for one RV storage area will most probably not work for all.

1. If screened by natural plantings, the RV parking area shall be planted in such a way that the RV is substantially screened.  
Example: Vegetative RV screening may be accomplished by planting a double row of evergreen and deciduous trees in a 50% mix, with spacing of approximately three (3) feet on center for each row. Upon initial installation, screening plants shall equal at least 30% of the height and 120% of the length of the item to be screened; at maturity, screening plants shall exceed the height of the item being screened. All vegetative screens should be served by an irrigation system.
2. By this Rule, the ARC is given the authority to work with the homeowner to determine the method to accomplish screening objectives.
3. Existing owner improvements can, in some cases, be used as part of the screening. The ARC will make a final inspection of the screening to determine if it is in compliance. If the final inspection determines that the screening is not in compliance, the homeowner shall make changes as recommended by the ARC to receive final approval of the screening and subsequent permission to store the RV.
4. Acceptable plantings shall be of a type that at maturity will continue to screen the site. Ponderosa pines, for example, lose their lower branches as they mature and they do not provide adequate screening. Therefore, the ARC is given the authority to require additional future plantings to keep the RV adequately screened.
5. Fencing may be used as part of an RV screen, but in virtually all situations it must be combined with vegetation or a building in order to provide adequate screening without exceeding height limits for fences. However, in some cases an additional one-foot high lattice, 50% open, may be acceptable.
6. If fencing is used as a screening device, it shall be similar in material and architectural design to the principal structure. In other words, a screening fence must be architecturally compatible with the home.
7. Authority to review RV parking and screening applications is held by the WROA Board of Directors; the Board may delegate this authority to the ARC.

**RV Parking/Screening Application Process:**

1. An "Application for Permanent Recreational Vehicle Parking" form shall be submitted to the ARC.
2. A scaled drawing shall be attached to the application, showing the location of the house (and any other relevant structures, such as garages), proposed parking space, and proposed screening.
3. A plant list shall be attached to the application, stating plant species, placement, size at installation, and potential size at maturity.
4. An owner must submit an application for a new RV parking spot within 30 days of acquiring a new RV.
5. Vegetation must be planted as soon as possible, but no later than the start of the next growing season.

**RV Parking/Screening Rule Compliance and Enforcement:** By this rule, the ARC is authorized to work with the homeowner to determine the method(s) to best comply with the requirements of this rule. The ARC will make a final inspection of the completed parking space/screening to determine if it complies with the rule. If the ARC determines that the completed parking space/screening does not comply, the homeowner shall make changes as necessary to obtain approval of the screening and subsequent storage of the RV. **(Effective August 12, 2012)**

**Loaning of Approved RV Sites:** Owners with approved RV sites may, with written ARC approval, loan their spaces to other owners for use by specifically approved RV's. Both the RV site owner and the owner potentially borrowing the site must jointly submit the appropriate application to the ARC. Some approved RV sites may not be suited for the requested loan, in which case permission will be denied. If approved, the ARC may require additional screening for the loaned RV. **(Effective January 1, 2017)**

From **Rules and Regulations (July 1, 1999) – Article VII, Section 17(a) – Parking/Storage of RV's, Boats, etc.**

**Amendment to RV Parking and Screening Rule.**

- Existing approved RV's will not be affected.
- Unapproved RV's over 24 feet long or 10 feet high must be stored in an approved building.
- Length does not include the RV tongue, if any.
- Height is determined by the basic height of the main RV structure; it does not include air conditioners or antennas.
- If an RV is normally "truck mounted" for use, the height is that of the unmounted unit as it is stored off the truck.
- One approved RV is allowed per approved site unless the total length is under 24 feet.
- Multiple RV's may be rotated, one at a time, through an approved site, but each RV must be individually approved. **(Effective February 2018)**

From **Rules and Regulations (July 1, 1999) – Article VII, Section 17(b) – Pets.** All pets must be reasonably controlled so as not to be a nuisance or danger to other property owners. Pets shall be confined to the owner's property, on a leash, or (only while in the presence of the owner) be under voice control. Pets are not to run loose within the Wild River boundaries. Barking dogs will be considered a nuisance and will not be tolerated. Wild River property owners who observe violations of the provision are asked immediately to (1) file a complaint with the Deschutes County Sheriff's Office at (541) 693-6911, and (2) send a written complaint to WROA. (Please be specific with date, time and description of the infraction and, if possible, provide pictures, recordings, names of witnesses, etc.). Upon receipt of excessive complaints and in conjunction with the complaining property owners, WROA will seek enforcement by appropriate proceeding at law.

From **Rules and Regulations (July 1, 1999) – Article VII, Section 17(c) – Burning Debris.** (Also from **Article VII, Section 3 – Maintenance of Lots.**) Permission to burn yard debris from lot clearing activities is granted by the Association until further notice. Burning may proceed only with proper La Pine Fire Department permits. Burn barrels may be used, but only to burn wood and paper. Owners are encouraged not to burn other materials which may cause offensive odors.

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**From CC & R's – ARTICLE VII, RESTRICTION ON USE OF PROPERTY, Section 20 – Architecture Review Committee Consent.** *In all cases in which Architecture Review Committee consent is required, the following provisions shall apply:*

*(a) **Material Required to be Submitted.** Where consent must be acquired by lot owners or any association of owners from the Architecture Review Committee, plans, specifications, and other material the Committee determines to be necessary to enable it to evaluate the proposal must be submitted at least 30 days in advance of the occurrence which requires consent.*

*(b) **Architecture Review Committee Discretion and Guidelines.** The Architecture Review Committee may at its discretion withhold consent with respect to any proposal if the Committee finds the proposal would be inappropriate for the particular lot or incompatible with the quality and high design standards of Wild River. Considerations such as color, design, size, view, effect on other lots, disturbance of existing terrain or vegetation, and any other factor which the Architecture Review Committee reasonably believes to be relevant may be taken into account by the Committee in determining whether or not to consent to any proposal.*

*(c) **Failure to Act.** In the event the Architecture Review Committee fails to render its decision with respect to any proposed work within the 30 days granted it in Section 20(a), the Committee shall conclusively be deemed to have consented to the proposal.*

*(d) **Effective Period of Consent.** Architecture Review Committee consent shall be revoked one year after issuance unless the work has been commenced or the owner has applied for and received an extension of time from the Architecture Review Committee.*

From **Rules and Regulations (July 1, 1999) – Article VII, Section 20(b) – ARC Guidelines.** The ARC has established and from time to time may modify the minimum building standards for construction of any improvement in Wild River. Currently, only on-site constructed, full foundation, single-family dwellings containing not less than 1,500 square feet of living area, finished in colors, design, and style compatible with the surroundings will be allowed. Owners are encouraged to refer to the ARC Guidelines and/or consult with the ARC for clarification of specific requirements. All applications for standing tree removal (dead or alive), excavation for septic systems, dwelling construction, etc. shall be accompanied by an accurate plot map on an 8 ½” x 11” or larger sheet of paper illustrating the proposed location of the intended improvement(s). Marking a building’s “footprint” and/or trees targeted for removal with surveyor’s tape or colored ribbon will facilitate a prompt response from the ARC.

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*From CC & R’s – ARTICLE VIII, GENERAL PROVISIONS, Section 1 – Enforcement. The Association, or any owner, or the owner of any recorded mortgage upon any part of said property, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens, and charges now or hereafter imposed by the provisions of this Declaration. Failure by the Association or by any owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. If any owner constructs or permits to be constructed on his property any improvement, or allows the condition of his property to violate any provision of the Declaration, the Association may, no sooner than 60 days after delivery to such owner of written notice of violation, enter upon the offending property and remove the cause of such violation of such Declaration in such manner as to make it conform thereto with the reasonable cost of such action be a charge against the owner’s land.*

From **Rules and Regulations (July 1, 1999) – Article VIII, Section 1 – Enforcement. (Costs Incurred in Enforcement).** In accordance with the Oregon Revised Statute 94.630 (1a), the WROA hereby declares that in the event any action is taken to enforce the Declaration, Restrictions, Covenants, Conditions and Amendments for Wild River or any Rules and Regulations promulgated under the Declaration, the losing party shall pay to the prevailing party all costs and attorney’s fees at trial or on appeal incurred in the enforcement of the Declaration or Rules.

From **Rules and Regulations (July 1, 1999) – Article VIII, Section 1 – Enforcement (Transition).** Homes in existence on January 23, 1998 are exempted from the minimum building standard requiring not less than 1,500 square feet of living area.

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*From CC & R’s – ARTICLE VIII, GENERAL PROVISIONS, Section 6 – Benefit of Provisions: Waiver. The provisions contained in this Declaration shall bind and inure to the benefit of and be enforceable by Declarant, the Association, and the owner or owners of any portion of said property, and their heirs and assigns, and each of their legal representatives, and failure by Declarant or by the Association or by any of the property owners or their legal representatives, heirs, successors, or assigns, to enforce any of such conditions, restrictions or charges herein contained shall in no event be deemed a waiver of the right to do so.*

From **Rules and Regulations (July 1, 1999) – Article VIII, Section 6 – Applicability.** The provisions of our CC & R’s and related Rules and Regulations will bind to and inure to the benefit of all owners of property within Wild River. If an owner of property in Wild River rents, leases, lends, or permits another to occupy or use such property, both the owner(s) of the property and the person(s) using such property will be held responsible for abiding by the CC & R’s and Rules and Regulations.

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