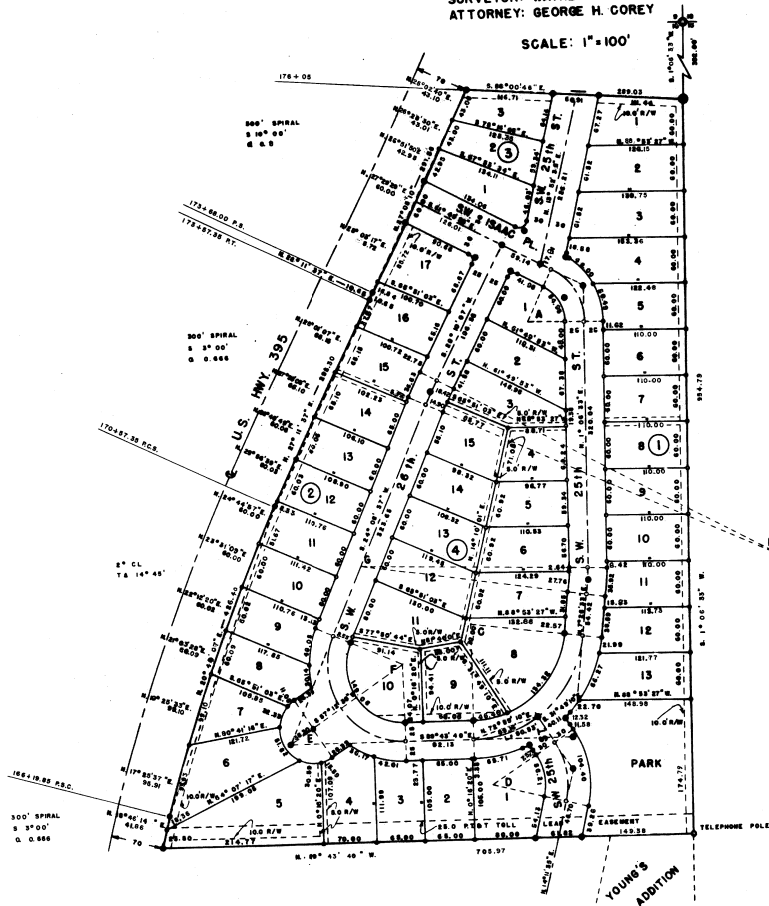


# BARNUM'S ADDITION

TO THE CITY OF PENDLETON, UMATILLA COUNTY, OREGON  
 NE 1/4 NE 1/4, SEC. 16, T 2 N, R 32 E, W.M.  
 SURVEYOR: WAYNE O. HARRIS  
 ATTORNEY: GEORGE H. COREY

SCALE: 1"=100'



I, Wayne O. Harris, certify that this is a true and accurate copy of the PLAT of BARNUM'S ADDITION to the CITY OF PENDLETON, OREGON.

*Wayne O. Harris*

### CURVE DATA

BLOCK	LOT	RADIUS	ARC	CHORD	BEARING
1	4	6.64	8.02	7.54	N. 20° 43' 20" W
	4	100.00	48.00	47.54	N. 41° 34' 14" W
	5	100.00	50.49	49.96	N. 13° 21' 24" W
	11	325.00	35.92	35.91	N. 4° 16' 33" E
	12	175.00	21.99	21.96	N. 11° 02' 32" E
	13	175.00	66.27	65.88	N. 23° 29' 26" E
	PARK	175.00	22.70	22.68	N. 40° 03' 18" E
"	9.34	12.32	11.45	N. 5° 58' 04" E	
"	130.00	104.40	101.81	N. 8° 48' 46" W	

### LEGEND

- ..... 1/2" x 24" Iron Pin
- ..... 5/8" x 30" Iron Pin
- ..... Initial Point, 6" x 24" Concrete Mon. 6" Below Surface of ground
- ..... Section Corner

R/W... Utility Easement, Total Width is 10.0' Unless Otherwise Noted.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

CITY ENGINEER

The accompanying Plat is approved by resolution of the undersigned, duly adopted on 24<sup>th</sup> of August, 1958, and report of said approval filed.

CITY PLANNING COMMISSION OF PENDLETON, OREGON

By Mark Kim  
 President  
 By Wendy A. Shaw  
 Secretary

STATE OF OREGON, }  
 COUNTY OF UMATILLA, }

This instrument was filed for record on \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M. in the record of \_\_\_\_\_ of \_\_\_\_\_ County in \_\_\_\_\_

Book 8 Page 26  
Jack Johnson  
 Recorder of Conveyances

By \_\_\_\_\_ Deputy  
 Fees \$ 2.50 No. 207541



2	1	70.00	56.21	54.71	N. 8° 48' 46" W
	1	10.58	14.67	13.52	S. 71° 31' 50" E
	1	175.00	65.71	65.32	N. 78° 30' 58" E
	3	125.00	42.01	41.82	S. 80° 05' 56" E
	4	125.00	36.17	36.04	S. 62° 10' 48" E
	4	45.00	15.59	15.51	N. 67° 08' 23" E
	5	45.00	30.59	30.00	S. 83° 26' 16" E
	6	45.00	51.82	49.00	S. 31° 00' 48" E
	7	45.00	32.33	31.64	S. 22° 33' 39" W
	8	45.00	11.05	11.02	S. 50° 10' 46" W
	8	125.00	30.14	30.07	S. 4° 46' 53" E
	9	125.00	48.05	47.75	S. 13° 08' 16" W
	15	525.00	36.83	36.82	S. 26° 09' 32" W
	17	10.00	15.71	14.14	S. 16° 49' 53" E

3	1	10.00	18.20	15.79	S. 66° 01' 22" W
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4	1	10.00	15.71	14.14	S. 73° 10' 07" W
	1	50.00	54.93	52.21	N. 30° 21' 40" W
	3	475.00	18.42	18.42	S. 27° 03' 27" W
	6	275.00	2.64	2.64	N. 1° 23' 03" E
	7	275.00	27.76	27.75	N. 4° 35' 20" E
	8	125.00	134.32	127.95	N. 38° 13' 35" E
	9	125.00	46.40	46.15	N. 79° 38' 21" E
	10	75.00	149.06	125.71	S. 32° 47' 22" E
	15	475.00	14.90	14.90	S. 25° 02' 52" E

C	A	RADIUS	Ts	ARC	CHORD	BEARING
A	62° 56' 26"	75.00	45.91	82.39	78.31	N. 30° 21' 40" W
B	4° 01' 10"	500.00	17.55	35.08	35.07	S. 26° 09' 32" W
C	82° 48' 27"	150.00	132.31	216.85	198.45	N. 48° 51' 26" E
D	46° 00' 43"	100.00	42.46	80.31	78.16	N. 8° 48' 46" W
E	180° 00' 00"	45.00	—	141.37	90.00	N. 32° 47' 22" W
F	113° 02' 37"	100.00	153.62	198.75	167.62	S. 32° 47' 22" E
G	8° 20' 00"	300.00	16.60	33.16	33.14	N. 4° 16' 33" E

STATE OF OREGON  
 COUNTY OF UMATILLA

BARNUM'S ADDITION  
 DECLARATION

I, Wayne O. Harris, being first duly sworn, depose and say: That I correctly surveyed and marked with proper monuments as indicated on the accompanying Plat of "Barnum's Addition" to Pendleton, Umatilla County, Oregon, the lands indicated thereon; that the initial point of this survey is a Brass rod in concrete; said point is S. 1° 06' 33" W., 352.00' from the NE Corner of Sec. 16, T. 2 N., R. 32 E., W. M., that the exterior boundaries of the land hereby plotted are as follows:

Beginning at the above described initial point and running thence S. 1° 06' 33" W., 954.79' to the SE corner of the NE 1/4 of NE 1/4 of said Sec. 16, thence N. 89° 43' 40" W., along the South line of said NE 1/4 of the NE 1/4, 705.97' to the Easterly R/W line of U.S. Highway No. 395; thence Northeasterly along an offset 3° spiral curve to the right, the chord of which bears N. 15° 46' 14" E., 418.6'; thence along a 2794.79' radius curve to the right, the long chord of which bears N. 20° 49' 07" E., 428.40'; a distance of 426.81'; thence along an offset 3° spiral curve to the left the long chord of which bears N. 27° 11' 37" E., 296.30'; a distance of 296.33'; thence N. 28° 11' 37" E., 10.85'; thence along an offset 10° spiral curve to the left the chord of which bears N. 27° 05' 10" E., 291.58'; a distance of 291.64'; thence S. 86° 00' 46" E., 289.03' to the point of beginning.

All being in the NE 1/4 of the NE 1/4 of Sec. 16, T. 2 N., R. 32 E., W. M.

Wayne O. Harris  
 Registered Land Surveyor  
 State of Oregon Reg. No. 346

Subscribed and sworn to before me on this 21 day of August 1958

Robert J. Bremer  
 Notary Public for Oregon  
 My Commission Expires 12-20-60

I, Wayne O. Harris, County Surveyor, do hereby certify that I have carefully examined the accompanying Plat of "Barnum's Addition" to the City of Pendleton, Umatilla County, Oregon, that it complies with the laws of the State of Oregon with reference to filing and recording of such Plats, and I therefore approve said Plat for the approval by the County Court of Umatilla County, Oregon.

Dated 8/21 1958

Wayne O. Harris  
 County Surveyor of Umatilla County  
 State of Oregon, Reg. No. 346

I, Lloyd E. Stafford, Assessor, and I, Roy Johnson, Sheriff of Umatilla County, Oregon, do hereby certify that we have examined the tax records relative to the land covered by the accompanying Plat and that all moneys due for State and County taxes and assessments that could now constitute a lien on said land have been paid, and we hereby approve of said Plat.

Dated June 26 1958

Lloyd E. Stafford  
 Assessor  
Roy Johnson  
 Sheriff  
Byлина Hawkins-Deputy

KNOW ALL MEN BY THESE PRESENTS that E. W. BARNUM and GEORGIA A. BARNUM, husband and wife, (hereinafter designated "Dedicator") as owners of the real property lying within the boundaries of the plotted area on the attached Plat (which land is hereinafter referred to as "said addition"), do hereby adopt said Plat and the general plan of improvement, use and restriction of the use as shown in said Plat and as herein stated. Dedicators declare that such general plan is hereby impressed and fixed on said addition and each part thereof, and that all of Dedicators successors, representatives, and assigns shall take title subject to such general plan, whether or not the same is specifically mentioned in any deed of conveyance to any such successors, representatives, and assigns.

Dedicators do hereby reserve for themselves and for their heirs, successors and assigns the right to waive any one or more of the restrictive or protective covenants herein set forth as any or all of such covenants may apply to any of Dedicators' lots or any portion thereof without notice to and without obtaining the consent of the owners of any of the other lots in said addition, or any other person or agencies. Such waivers shall be in such written form as may be entitled to record, and may be either permanent, temporary or conditional, and may be made either at the time of conveying the property affected or at a later date. Such waivers shall not be effective until recorded in the office of the County Recorder in Umatilla County, Oregon.

1. Except as in this Declaration stated, each of the restrictive and protective covenants shall run with the land and shall be binding upon all parties and persons claiming any interest in any lot in said addition or in any portion of any lot therein.

2. The restrictive and protective covenants shall be as follows:

- (a) The main residence building placed on any lot or lots, or portion thereof in said addition, shall be constructed thereon and not be moved thereon from elsewhere and shall contain not less than 1,000 square feet of floor space on its first or main floor, and shall not exceed one and one-half stories in height. For this purpose any such residence building containing any sleeping or dwelling quarters above the level of the first floor shall constitute a building more than one story in height, providing that this paragraph shall not be construed to preclude construction of daylight basements or split-level residence buildings. In computing the square feet of floor space, open porches, decks, and garages shall be excluded. No residence building costing less than \$10,000 shall be permitted on any lot, or lots, or portion thereof in said addition. No residence building shall be occupied as a dwelling until the exterior of such dwelling is fully constructed and completed.
- (b) No building shall be located nearer than twenty feet to the front line of any lot, or nearer than fifteen feet to any side street line of any lot, or nearer than five feet to the side lot line, or nearer than five feet to any rear lot line unless more than one lot be used for one building unit, in which case building on the lot line or lines separating the lots being built on will be permitted. On corner lots the front of the house shall be considered the front of the lot for the purpose of determining the set back requirements.
- (c) No fence, wall, hedge, structure, or mass planting exceeding three feet in height shall be permitted in or near the side on any lot to extend nearer the street than the minimum set back line on such lot, nor in any event shall such fence, wall, hedge, structure, or mass planting exceed eight feet in height on or near the side line of any lot.
- (d) All lots or portions thereof (except as hereinafter provided) shall be utilized for private residential purposes only and no building or structure or any part thereof shall be used or occupied as a duplex, apartment house, multiple family unit, or for any purposes in conflict with requirements of the Ordinances of the City of Pendleton, Oregon, pertaining to a residential district. This paragraph shall not apply to the following lots, to-wit: None.
- (e) No noxious or offensive trade shall be carried on upon any lot or portion thereof, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. No obnoxious or unsightly outbuildings shall be erected or placed on any lot or lots or portion thereof in said addition. No trailer, basement, tent, shack, garage, barn, or other outbuilding erected in the addition shall at any time be used as a residence, temporarily or permanently, nor shall any residence of a temporary character be permitted.
- (f) No poultry, animals or livestock shall be kept on any lot or lots or portion thereof in said addition if the same produce an odor, noise, or unsanitary condition operating to disturb the reasonable comfort of any occupant of any other lot or lots in said addition. No kennel, stable, dairy, hut, or barn shall be erected or maintained on any of said lots or any portion thereof, nor shall dogs, cats, horses, cows, rabbits, or other domestic animals ever be kept thereon except that this restriction shall not be construed to prohibit ordinary household pets so long as the same do not constitute an annoyance or nuisance.

(g) All exterior storage for fuel oil or gas or other liquid or gaseous reservoirs shall be constructed and located beneath the surface of the ground or otherwise concealed from exterior view.

3. The Dedicators do hereby dedicate and create an easement over and across the lots and blocks as indicated and shown upon the Plat of said addition for water, gas, sewers, electricity, lights, telephone and other utilities, and for installation and maintenance of some irrespctive of whether the same may be installed before or after sale by the Dedicators herein.
4. The covenants herein set forth are for the benefit of each and all of the owners of the lot or lots or portion thereof in said addition and may be enforced by any one or more of them. In the event of violation of any covenant contained in the Declaration, actual damage to any other lot owner in said addition shall be conclusively presumed and the value of said damage shall be presumed to be in an amount of at least \$10.00 or in such greater amount as a court or jury may properly determine. It shall be lawful not only for the Dedicators and their successors in interest, but also for the owner or owners of any lot or lots in said addition at any time to institute or prosecute any proceedings at law or in equity against the person or persons violating or threatening to violate any of said covenants. No covenant shall be enforced for damages against the Dedicators, but said covenant may be proceeded on for an injunction and specific execution thereof against the Dedicators secured, and for damages also against the party or parties violating the said covenant, or their heirs, executors, or assigns.
5. Time and the strict performance and observance of each and all of the covenants herein contained to be kept and performed by the parties affected hereby are in each and every case of the essence of this Declaration.
6. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, Dedicators have set their hands and seals this 9 day of July 1958

E. W. Barnum

Georgia A. Barnum

DEDICATION:

Know All Men By These Presents, That E. W. Barnum and Georgia A. Barnum, husband and wife, being the owners of the land shown on the accompanying Plat do hereby dedicate to the use of the public forever the streets, drives and ways designated on said Plat, and do hereby establish and acknowledge the accompanying as the official Map and Plat of "Barnum's Addition" to the City of Pendleton, Oregon.

Dated July 9, 1958

E. W. Barnum  
 E. W. Barnum

Georgia A. Barnum  
 Georgia A. Barnum

STATE OF OREGON  
 County of Umatilla SS

On July 9, 1958, 1958, before me personally appeared the above named E. W. Barnum and Georgia A. Barnum, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Robert J. Bremer  
 Notary Public for Oregon  
 My commission expires Jan 24, 1962

This is to certify that the accompanying Plat is approved for filing and record in "Record of Town Plats" of Umatilla County, Oregon, by the undersigned, by its order dated \_\_\_\_\_, 1958, recorded in County Court Journal       , page 251.

COUNTY COURT OF UMATILLA COUNTY  
 STATE OF OREGON

By Edith Cook  
 County Judge

By \_\_\_\_\_  
 County Commissioner

By John W. Myers  
 County Commissioner

ATTEST:

I, Jessie M. Bell, County Clerk of Umatilla County, Oregon do hereby certify that the above named were on the date of said order above specified and now are the duly qualified, elected, sworn and acting Judge and Commissioners of said County, and that the seal hereto affixed is the seal of my office.

Jessie M. Bell  
 County Clerk  
 Umatilla County, Oregon

By Lynn Maattee, Deputy