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DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2009-10331



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03/13/2009 11:51:18 AM

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\$25.00 \$11.00 \$10.00 \$5.00

After Recording, Return To:

Brookswood - Bend, LLC
Attention: George A. Morris
P.O. Box 10638
Eugene, Oregon 97440

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**SECOND DECLARATION OF ANNEXATION OF
REAL PROPERTY TO DECLARATION OF PROTECTIVE
COVENANTS, CONDITIONS AND RESTRICTIONS FOR ASPEN RIM
(NOW KNOWN AS RENAISSANCE RIDGE)**

THIS SECOND DECLARATION OF ANNEXATION (this "Declaration of Annexation") is made effective as of the date it is recorded in the Official Records of Deschutes County, Oregon, by BROOKSWOOD - BEND, LLC, an Oregon limited liability company ("Brookswood").

RECITALS:

WHEREAS, Brookswood is the current holder of all "Declarant" rights under that certain Declaration of Protective Covenants, Conditions and Restrictions for Aspen Rim recorded on September 16, 2005 as Document Number 2005-62428, as amended by First Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Aspen Rim recorded on March 21, 2006 as Document Number 2006-19368, as further amended by Second Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Aspen Rim and Bylaws of Aspen Rim Owners Association recorded on June 26, 2006 as Document Number 2006-43754, all recorded in the Official Records of Deschutes County, Oregon (collectively, the "Declaration");

WHEREAS, Brookswood previously annexed additional property into the residential planned community now known as *Renaissance Ridge* (and formerly known as *Aspen Rim*) by recording that certain First Declaration of Annexation of Real Property to Declaration of Protective Covenants, Conditions and Restrictions for Aspen Rim in the Official Records of Deschutes County, Oregon; and

WHEREAS, Brookswood desires to annex the real property described on attached Exhibit A (the "Phase 2 Common Areas") into Renaissance Ridge and to make such Phase 2 Common Areas subject to the terms of the Declaration. Renaissance Ridge Homeowners Association (the "Association"), as the owner of the Phase 2 Common Areas, desires to consent to such annexation.

RECORDED BY FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON AS AN
ACCOMMODATION ONLY. NO LIABILITY IS
ACCEPTED FOR THE CONDITION OF TITLE
OR FOR THE VALIDITY, SUFFICIENCY, OR
EFFECT OF THIS DOCUMENT

DECLARATION:

NOW, THEREFORE, Brookwood hereby declares the following pursuant to its reserved rights under Section 2.2 of the Declaration:

1. **Annexation.**

1.1 The Phase 2 Common Areas are hereby annexed into the residential planned community now known as *Renaissance Ridge* and made subject to all of the terms of the Declaration and to the jurisdiction of the Association. The Phase 2 Common Areas shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to the Declaration.

1.2 The Phase 2 Common Areas are comprised of (a) Tracts K, M and N, which shall be considered "Common Areas" (as defined in the Declaration) and (b) Tract L, which shall be considered a "Limited Common Area" (as defined in the Declaration) benefitting Lots 156 through 162.

2. **Miscellaneous.**

2.1 All capitalized terms not defined in this Declaration of Annexation shall have the meaning ascribed to such terms in the Declaration.

2.2 The effective date of this Declaration of Annexation shall be the date on which it is filed in the real estate records of Deschutes County, Oregon.

2.3 In the event of a conflict between the terms of the Declaration and the terms of this Declaration of Annexation, the terms of this Declaration of Annexation shall prevail with respect to the Phase 2 Common Areas.

[Signature appears on the following page]

IN WITNESS WHEREOF, Brookswood has executed and delivered this Declaration of Annexation as of the day and year first above written.

BROOKSWOOD:

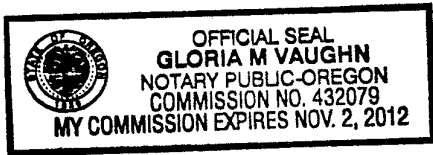
BROOKSWOOD - BEND, LLC, an Oregon limited liability company

By: WT
Name: Bill Bernards
Title: manager

ACKNOWLEDGMENT

STATE OF OREGON)
)
County of Lane)

This instrument was acknowledged before me on 10th day of MARCH, 2009, by William J. Bernards the Manager of BROOKSWOOD - BEND, LLC, an Oregon limited liability company, on behalf of the company.



Gloria M. Vaughn
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/2/12

[Signatures continue on the following page]

CONSENT OF PROPERTY OWNER

The Association, as the Owner of the Phase 2 Common Areas, hereby consents to this Declaration of Annexation, including (but not limited to) subjecting the Phase 2 Common Areas to the terms of the Declaration.

ASSOCIATION:

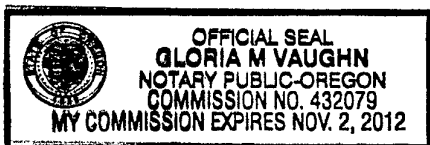
RENAISSANCE RIDGE HOMEOWNERS ASSOCIATION, an Oregon nonprofit corporation

By: WT [Signature]
Name: Bill [Signature]
Title: President

ACKNOWLEDGMENT

STATE OF OREGON)
)
County of Lane)

This instrument was acknowledged before me on 10th day of MARCH 2009, by William J. Bernards the President of RENAISSANCE RIDGE HOMEOWNERS ASSOCIATION, an Oregon nonprofit corporation, on behalf of the corporation.



Gloria M. Vaughn
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/2/12

EXHIBIT A

LEGAL DESCRIPTION OF THE PHASE 2 COMMON AREAS

Real property situated in the County of Deschutes, State of Oregon, described as follows:

Tracts K, L, M and N, as shown on the plat of Aspen Rim No. 2, recorded on June 28, 2007 as Document Number 2007-36286 in the Official Records of Deschutes County, Oregon.