

VOL: 1999 PAGE: 35484
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



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Printed: 07/21/1999 09:14:37

DO NOT REMOVE THIS CERTIFICATE

(This certificate constitutes a part of the original instrument in accordance with ORS 205.180(2). Removal of this certificate may invalidate this certificate and affect the admissibility of the original instrument into evidence in any legal proceeding.)

I hereby certify that the attached instrument was received and duly recorded in Deschutes County records:

DATE AND TIME: Jul. 21, 1999; 9:13 a.m.

RECEIPT NO: 8794

DOCUMENT TYPE: Covenants,
Conditions & Restrictions

FEE PAID: \$15.00

NUMBER OF PAGES: 2

A handwritten signature in cursive script that reads "Mary Sue Penhollow".

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

99-35484-1

Return to:
✓ Charles R. Cusack
20434 Steamboat
Bend, Or. 97702

**THIRD AMENDED
MOUNTAIN HIGH DECLARATIONS OF
COVENANTS, CONDITIONS AND RESTRICTIONS**

1. This THIRD AMENDED MOUNTAIN HIGH DECLARATION OF COVENANTS AND RESTRICTIONS ("Declaration") is made by the Mountain High Homeowners Association, a non-profit Oregon corporation.
2. The Developer, J. L. Ward Construction Co., an Oregon corporation, ("Developer") was the Owner of the real property described in the official plat of Mountain High Subdivision recorded in Volume 19, Page 39, Record of Townplats, Deschutes County, Oregon, hereinafter referred to as "plat of Mountain High," and created thereon the Community of Mountain High as a Residential Planned Community, and
3. The community of Mountain High contains a variety of housing types including single-family detached housing, single-family attached housing, townhouses, condominiums and multi-family rental structures, and
4. The Declaration provides for the preservation and enhancement of the Property values, amenities, and opportunities within Mountain High, contributing to the personal and general health, safety, and welfare of the residents and for the maintenance of the land and improvements thereon, and subjects the real property described in the plat of Mountain High, together with such additions and modifications, to the Covenants, Conditions and Restrictions ("CCRs"), and
5. The Declaration was amended by a document entitled "Amended Mountain High Declarations of Covenants, Conditions and Restrictions" dated January 19, 1999, recorded at Vol. 1999, Page 2591 (hereinafter "First Amended CCRs") and again by a document entitled "Amendment to the Mountain High Homeowners Association Covenants, Conditions and Restrictions as Recorded Vol. 1999, page 2591" dated March 29, 1999 and recorded at Volume 1999, page 15024 (hereinafter "Second Amended CCRs"). The purpose of the Amendments were to create a master Homeowners Association for various villages located in the Mountain High Subdivision.
6. The Developer has previously recorded CCRs for the Willow Creek Village at the following Volumes and Pages of Deschutes County Records:

Willow Creek Village: Volume 6, Page 98, Deschutes County Records.
7. Willow Creek now desires to join the Mountain High Homeowners Association by execution and recordation of this Third Amended Mountain High Declarations of Covenants, Conditions and Restrictions. Willow Creek does join and become subject to the CCRs and First Amended and Second Amended CCRs referred to above.

**THIRD AMENDED MOUNTAIN HIGH DECLARATIONS OF
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- 8. The real property described in the plat of Willow Creek and such additions and modifications thereto as may thereafter be made is and are and shall be held, transferred, sold, conveyed, and occupied subject to the Covenants, Conditions and Restrictions hereinafter set forth.
- 9. The Developer and all property Owners in Willow Creek hereby delegate and assign to the Mountain High Homeowners Association the power of owning, maintaining, and administering the community properties and facilities; administering and enforcing the Covenants, Conditions and Restrictions (and Amendments thereto); collecting and disbursing the assessments and charges hereinafter created, and promoting the recreation, health, safety, and welfare of the residents.

IN WITNESS WHEREOF the parties hereto have signed this Third Amendment to the Declaration on behalf of the members of Willow Creek Association whose members have adopted these Third Amended CCRs this 10 day of JULY, 1999.

Acknowledged by the Board of Directors of the Mountain High Homeowners Association, this 20 day of July, 1999.

Robert Orsak

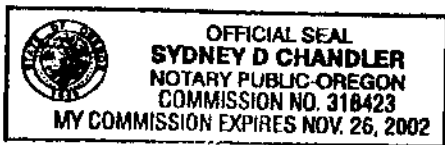
William A. Durbin

Jessie Allison

Charles P. Hansen

STATE OF OREGON, COUNTY OF DESCHUTES: ss

The foregoing instrument was acknowledged before me this 21 day of July, 1999 on behalf of the Mountain High Homeowners Association.



Sydney D. Chandler
Notary Public For Oregon