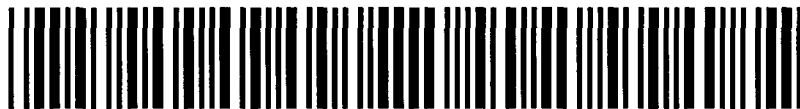


VOL: 1999 PAGE: 35386
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



*1999-35386 * Vol-Page

Printed: 07/20/1999 11:37:09

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. 20, 1999; 11:36 a.m.

RECEIPT NO: 8759

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

**AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
AWBREY VILLAGE PHASE II**

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions for Awbrey Village Phase II was recorded June 16, 1999 in Deschutes County Records, Deschutes County, Oregon and

Whereas, the said Declarations have been Amended by the Declarant, as sole owner of all lots in Awbrey Village Phase II.

NOW, THEREFORE, the Declaration of Covenants, Conditions, and Restrictions for Awbrey Village Phase II are hereby Amended as follows:

Section 4. RESTRICTIONS

4.1 Access to Property

No other private properties may be used for access without that Owner's written permission with the exception of recorded access and alley easements.

4.2 Alley Easements

Some Lots are encumbered by recorded access and alley easements.

4.7 Driveways and Walkways

Allowed materials for driveways include concrete, asphalt and masonry. All driveways shall be finished prior to occupancy. Exceptions may be allowed with ARC approval. Builders and Builder/Owners are responsible for repair of all driveway cuts, concrete breakage of curbs, sidewalks or sidewalk aprons. The Developer and ARC representative will monitor and provide written documentation to the offending Owner. All repairs must be completed within seven (7) working days from receipt of written notification from the Developer or ARC representative.

Only Developer provided driveway cuts to Colonial Street are allowed. Any changes require ARC approval.

4.13 Garages

Lots with alley access are required to site garages and access at the rear of the lot. Lots 1-12 require ARC approval to minimize the visual impact of garages. The intent is to build an environment suited to people by reducing the impact of the automobile on the street, not to build homes for cars. All designs shall be subject to ARC approval.

DECLARANT IS MICHAEL J. TENNANT

PLEASE RETURN TO:

MICHAEL J. TENNANT
516 SW 13TH, SUITE A
BEND, OR 97702

4.25 Parking

No parking on any street shall be allowed of any horse trailer, travel trailer, commercial 18 wheel tractor, boat trailer, camper or incapacitated motor vehicle. Boats, trailers, buses, motor homes, commercial vehicles, trucks larger than one (1) ton, recreational vehicles, disabled vehicles or other similar vehicles shall not be parked or stored on any Lot in a position whereby said vehicles will be visible from the street. No unit shall exceed 25 feet in length. Owners are encouraged to utilize asphalt pads. No parking whatsoever shall be allowed in access and alley easements; it is each owner's responsibility to see that their guests, invitees, and lessees abide by this condition. No vehicles shall be parked in the street for more than 24 hours at a time.

4.37 Walkways

Lots 1, 2, 7, 10, and 11 are required to each have a continuous walkway from the street sidewalk to their respective front entry.

Section 8. MAINTENANCE, LIGHTING, AND SERVICES.

8.1 Maintenance and Lighting

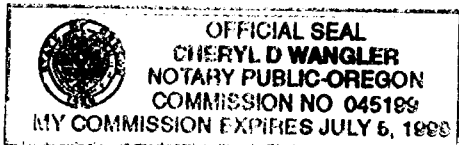
The Association shall perform all maintenance upon Pedestrian Paths, Access and Alley Easements (including snow removal), and parkway landscaped areas along the north Right-of-Way on Summit Drive. The Association shall also incur expenses for the water bill for parkway-landscaped areas along the north Right-of-Way on Summit Drive and replacement of streetlights, if needed.

IN WITNESS WHEREOF, the Declarant has executed this Declaration this 3rd day of July, 1999.

By *Michael J. Tennant*
Michael J. Tennant

STATE OF OREGON, County of Deschutes, ss:

The above-named MICHAEL J. TENNANT personally appeared before me and acknowledged the foregoing instrument as his voluntary act.



Before Me: *Cheryl D. Wangler*
NOTARY PUBLIC FOR OREGON

My commission expires: 7/5/99