

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-01057



\$36.00

00330890200500010570030032

01/07/2005 10:28:48 AM

D-CCR Cnt=1 Stn=3 PAM
\$10.00 \$11.00 \$10.00 \$5.00

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



This page must be included
if document is re-recorded.
Do Not remove from original document.

36

AFTER RECORDING, RETURN TO:

Hayden Enterprises, Inc.
2464 SW Glacier Pl., Suite 110
Redmond, OR 97756



003302992005000005850020023

\$35.00

01/04/2005 04:40:51 PM

D-CCR Cnt=1 Stn=25 TRACY
\$10.00 \$11.00 \$10.00 \$5.00

2
3
yes

RERECORDED TO CORRECT LEGAL DESCRIPTION
AND ADD DOCUMENT NUMBER OF PLAT.
PREVIOUSLY RECORDED IN BOOK 2005 PAGE 585.

**DECLARATION OF ANNEXATION TO
PARKWOOD TOWNHOMES
(Commonly Referred to as Phases 3 and 4)**

THIS DECLARATION OF ANNEXATION TO PARKWOOD TOWNHOMES is made as of this 4 day of January, 2004 by **MOUNTAIN CREST HOMES, LLC**, an Oregon limited liability company ("**Successor Declarant**").

*2005

Recitals

A. Successor Declarant is the successor to the original Declarant under the Declaration of Covenants, Conditions and Restrictions for Parkwood Townhomes recorded May 30, 2000 in the Records of Deschutes County, Oregon, at Volume 2000, Page 21426 (the "**Declaration**").

B. Successor Declarant owns additional Property as described below and wishes to annex said Property to the Parkwood Townhomes, pursuant to Section 3.1 of the Declaration, and which is commonly referred to as Phases 3 and 4, and subject said property to the Declaration.

NOW, THEREFORE, Successor Declarant hereby declares as follows:

1. **PROPERTY ANNEXED.** Successor Declarant hereby declares that all of the property described below (the "**Additional Property**") shall be annexed to Parkwood Townhomes and the Declaration, and that such property is held and shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to the Declaration:

All real property within that certain plat entitled "The Bluffs, AT RIVER BEND Phases 3 & 4", filed in the Plat Records of Deschutes County, Oregon, and recorded as Document No. 2005-00583.

2. **LAND CLASSIFICATIONS.** All of the land within the Additional Property annexed hereby is included in one or another of the following classifications:

(a) Building Lots, which shall consist of Lots 9 through 52, as shown on the Plat of the Additional Property.

(b) Common Area Tracts, which shall be Tracts D, E, F, G, H, I, J, K, L, M, and N, including all private streets as shown on the Plat.

3. **DECLARATION PROVISIONS APPLICABLE TO PHASES 3 AND 4.** All exterior lighting in phases 3 and 4 of Parkwood Townhomes shall be shielded downward.

4. **APPLICABILITY OF DECLARATION PROVISIONS.** All terms contained in the original "Declaration", which are not altered by the terms of this Annexation document ("Annexation") shall remain in effect. If there is a conflict between the terms of this Annexation and the original Declaration, the conflict shall be resolved by looking first to the terms of this Annexation. If conflict still exists the resolution shall be based upon the intent of Successor Declarant herein to have the obligations contained in the original Declaration apply to all Lots in Parkwood Townhomes Phases 1, 2 and 2B, and those Lots described in Section 1 above, and commonly referred to herein as Parkwood Townhomes No. 3 and 4, plus any future properties to be annexed by Successor Declarant, or their assignees and/or successors.

4. **NOTICE TO PURCHASERS.** Purchasers of Lots 9 through 52 are put on notice that the Successor Declarant retains the right, as expressed in the original Declaration to add additional phases to Parkwood Townhomes. The addition of future phases will increase the number of homes on Lots that are to be conveyed before the Successor Declarant is required to turn the Association over to the Owners.

IN WITNESS WHEREOF, Successor Declarant has executed this Declaration of Annexation as of the day first written above

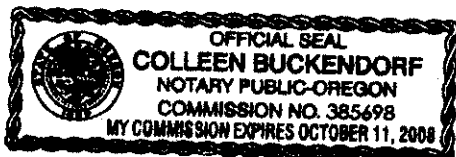
MOUNTAIN CREST HOMES, LLC, an Oregon limited liability company

By _____

Hayden Watson, Member

STATE OF OREGON)
)ss.
County of Deschutes)

The foregoing instrument was acknowledged before me this 16th day of December 2004, by Hayden Watson, Member of Mountain Crest Homes, LLC, an Oregon limited liability company, on its behalf.



Colleen Buckendorf
Notary Public for Oregon
My commission expires: October 11, 2008