

VOL: 2000 PAGE: 35021
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



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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: Aug. 30, 2000; 3:41 p.m.

RECEIPT NO: 25391

DOCUMENT TYPE: Planned Community
Subdivision Amendment

FEE PAID: \$56.00

NUMBER OF PAGES: 2

A handwritten signature in black ink, appearing to read "Mary Sue Penhollow".

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

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**AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
CANYON RIM VILLAGE PHASE I**

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions for Canyon Rim Village Phase I was recorded February 9, 2000 in Deschutes County Records, Deschutes County, Oregon and *in 2000 pg 5121*

Whereas, the said Declarations have been Amended by the Declarant, as majority voting rights in Canyon Rim Village Phase I.

NOW, THEREFORE, the Declaration of Covenants, Conditions, and Restrictions for Canyon Rim Village Phase I are hereby Amended as follows:

Section 3. ARCHITECTURAL CONTROLS

3.5 Architectural Guidelines

The development concept for the CANYON RIM VILLAGE Subdivision shall be determined by the ARC in accordance with applicable statutes, ordinances, regulations, zoning and other governmental land use controls. Architectural guidelines setting forth various aspects of the development concept, in addition to this Declaration, may be published and revised from time to time by the ARC, but the ARC shall not be required to do so. The ARC shall have the right to alter, rescind or amend any published guidelines without prior notice to any given party while the Declarant maintains Class B voting rights per Section 7.3; provided however, that once approval has been given pursuant to paragraph 3.4 above, work may proceed in accordance with the approved plans and drawings notwithstanding any changes in the development concept. All such guidelines shall be in general conformity with this Declaration. After Class B voting rights have been converted to only Class A voting rights, the ARC Guidelines can only be altered, rescinded, or amended by a majority vote of Class A members.

4.8 Fences and Walls

All fences within the Canyon Rim Village Subdivision shall be five (5) feet in height or less. The intent is to create good neighbor fences and make the alleys "people friendly". This allows the homeowners to view any activities in the alley and not create a dark box-like rear entry to garages. Wood posts for fences may be higher than five (5) feet with ARC approval. Any fence extended in front of the house must not exceed three (3) feet in height and have at least 3 inches spacing between pickets. Height shall be measured from the natural grade. "Natural grade" is defined as the site topography which exists at the time a lot is sold to the first owner by the project developer; fill material subsequently brought to a site does not modify this original grade reference. Fences along alleys shall be at least 1' away from the pavement. Fences adjacent to any pedestrian path shall be built to the same standards as stated herein.



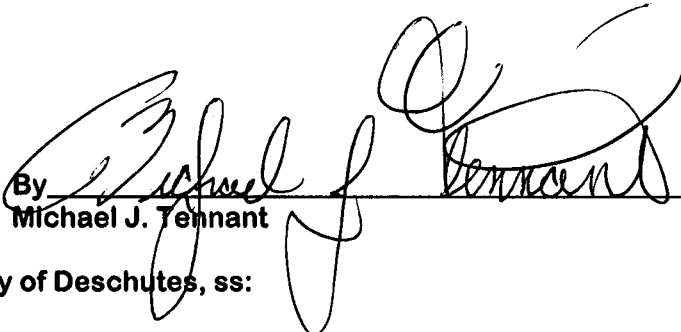
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Painting of fences is allowed with ARC approval of colors. Any painted fence must be maintained so as to conform to the standards established for fences.

Subdivision perimeter lots may have an exception to the 5' height limitation with ARC approval. The heights or elevations of any wall or fence shall be measured from the existing elevations of the property at or along the applicable points or lines. No cyclone, metal mesh, or chain link fences are allowed whatsoever except that fence posts may be metal or steel. Fences shall be constructed of grade #2, no-hole cedar or materials approved by the ARC. All side and rear fences constructed on the property line by the developer, or builder, are the property of the adjoining property owners. It is the adjoining property owner's responsibility to jointly maintain, repair or replace side fences when needed. Corner lots that anticipate constructing fences must have ARC approval prior to the start of construction. Privacy screening may be permitted with ARC approval for Hot Tubs.

Any fence within 40' of property line along 19th street are subject to the Declarant's Landscape Plan for 19th street and ARC approval.

IN WITNESS WHEREOF, the Declarant has executed this Declaration this 30th day of August, 2000.

By 
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: 
NOTARY PUBLIC FOR OREGON

My commission expires: 6.18.02