

**ADDENDUM TO CC&R'S
RIM LOT DEVELOPMENT**

Before any improvements or alterations may be undertaken on a homesite within the Canyon View Estate Rim Lots, the owners must obtain advance written construction approval from the Declarant.

Construction design must conform to the following rules and guidelines.

Building Height

A standard building height limitation of 20 feet is established in order to preserve views from adjacent and nearby homes and to minimize the impact of structures on the natural areas of the development. Height shall be measured from the maximum ridgeline down to existing and undisturbed elevation of a point on the property as determined by the intersection of lines connecting the property corners.

Building Size

A minimum size of 1,800 square feet must be included as interior living space in every home, excluding garage area. Outside decks and breezeways are not to be included in the interior space calculation. Lot coverage by the buildings and structure shall not exceed 35% of the total lot area. Paved areas and eaves that project beyond the foundation shall not be included in the lot coverage calculation. Covered decks or porches shall be included in the calculation.

Neighboring Views

Structure locations and designs must take into consideration the preservation of natural site features and will not unreasonably restrict views of neighboring homesites.

Driveways

Driveway cuts into Canyon View Estates rim lots will be limited to one per homesite unless the Declarant rules that a particular site's physical layout makes such a restriction extremely difficult or impractical. Driveway widths shall be restricted to one car width where possible and the amount of paved areas exposed to view from neighboring homesite or common roadways shall be kept to a minimum. Driveway material shall be hard surface: asphalt, concrete or masonry.

Hot Tubs and Pools

Exterior hot tubs, saunas and swimming pools must be fully screened from neighboring views and designs and drawings for these features, including site plans, must be included in the submitted plans and are subject to Declarant approval.

Accessory or Construction Buildings

Buildings to be used as temporary construction shelter may be temporarily erected on a homesite prior to construction of the main residence building, and only in conjunction with actual construction work. Structures such as tool sheds, dog houses, etc. which are not permanent are specifically prohibited. Any temporary shelter or building must be approved in advance by the Declarant, and removed as soon as it is not necessary. In any case the maximum allowable time for a temporary structure to be allowed on a homesite is ninety day (90 days).

Adjacent Private Property

Under no circumstances may adjacent private or development property be used for access to any other lot, or for any construction purpose without the express and written consent of the owner and the Declarant. Adjacent property may also not be used for parking of any equipment or construction workers' vehicles.

The homesite owner and/or his contractor or builder shall be held fully responsible for any damage to private property. The amount of the Builder Security Deposit (see below) shall not limit the extent of liability for damage done by the contractors.

Construction Noise/Behavior Guidelines

In consideration of neighbors no loud radios or excessive unnecessary construction noise shall be permitted on a job site. No boisterous or rude behavior will be allowed. Any pets belonging to construction workers must be leashed at all times and if loud or unruly may be banned by the Declarant.

Exterior construction work, or the operation of noisy construction equipment is not allowed on Sundays or National holidays, and may not begin before 7:30 AM on any other day.

Builder/Contractor Security Fee

Once final construction design approval has been given by the Declarant, but before the designated builder may begin site preparation or construction, he must make a \$1,000 Builder Security Deposit to the Declarant and submit a signed Builder Information and Security Deposit Form. The fee is fully refundable minus any costs of repair or damage to private property which is caused by the builder, contractor, or subcontractors. Any refund due shall be made only after final inspection of the completed home and construction site by the Declarant and execution by the Declarant of a Final Completion Approval Notice. The designated builder and ultimately the homesite owner shall be responsible for all construction activities, whether by his own employees, or by subcontractors or their employees working on the job site.

If the Declarant detects any damage to development or other private property which it feels is the result of activities by the builder, they will issue a Non-Compliance Notice to the builder and the homesite owner. The Builder will then have an amount of time stated in the notice to make necessary

repairs, improvements, or adjustments. Should he not respond in a timely manner and solve the problem, the Declarant may arrange for the remedial work to be done by another contractor of their choice and then deduct the cost of required the work from the builders Security Deposit. Should the cost of repair of the damage exceed the amount of the security deposit, the designated builder and/or the homesite owner shall be fully responsible for the full cost of repair, regardless of the amount of the security deposit.

Construction Dumpster/Refuse Containment

Adequately sized refuse dumpsters shall be provided by the builder, at his expense, and shall be situated on the construction site at all times during the construction period. The construction site shall be kept clean and orderly at all times, with papers, loose material and miscellaneous building supplies neatly stored or disposed of within a refuse dumpster.

Animal Runs and Animal Restraints

All animal runs and animal restraint areas shall be preapproved by the Declarant and constructed and situated in such as way as to make them completely concealed or screened from the view of nearby roads, the canyon, and neighboring homesites.

Chimneys

All exterior chimneys must be made of wood, stone or brick, and must incorporate a flue shroud and a spark arrestor. A metal chimney top must be of such a color as to blend aesthetically with the residence and is subject to Declarant approval.

Exposed Metal

Any Exposed metals such as roofing, flue pipes, fireplace chimneys and caps, plumbing stacks, flashings, spark arrestors, etc. must be painted flat black, or a color that will blend aesthetically with the residence. Any such colors are subject to Declarant approval.

Exterior Antennas/Satellite Antennas

Exterior mounted radio and television antennas, are not permitted. No television satellite disks or antennas may be visible from the roadways, canyon or other homesites.

Standard Setbacks

No improvements shall be constructed such that they encroach within the "setback area" individually designated for each lot. The Standard setback lines (in feet from the property lines) are

Front: 30 feet

Rear: 20 feet

Side: 10 feet

Setback requirements apply to any manmade structure above grade including steps, decks, porches, eaves, pools, hot tubs, etc. Notwithstanding approval from the Declarant of a proposed site plan, final construction approval is subject to local governmental approval and permits.

Permanent Outdoor Furniture and Accessories

Location of permanently placed outdoor furniture fixtures or equipment such as swings, picnic tables barbecues, arbors, jungle gyms, tree houses, etc. must be approved by the Declarant. Outdoor furniture and accessories shall not infringe on setbacks and must be properly maintained. Swings sets and other play equipment shall be screened from adjacent view or be painted or constructed to blend with the natural surroundings, as approved by the Declarant.

Drainage

The existing drainage on each homesite shall be carefully consider when siting and improvement. The natural drainage pattern should be preserved if possible and the drainage impact on neighboring homesites and the canyon shall be taken into account in the approval process.

Excavation

Each homesite shall be developed with a minimum modification or disruption to the exiting topography. All dirt, fill and debris resulting from excavation must be removed from the homesite, or applied to the landscape in a manner pre-approved by the Declarant. To the extent feasible, all grading shall conform to natural contours of the land.

Hillside Construction

There shall be no exposed under structures of homes built on a hillside. Siding material must extend to within eight inches of the finished grade and skirt walls more than four feet from the finish floor level shall have foundation landscaping to reduce the scale of the skirt wall.

Fencing

Fences are allowed at Canyon View Estates according to specific approval by the Declarant only. Fences and hedges are not allowed outside property setback lines. A fence is defined as a structural barrier which separates one space from another, or which is constructed for ornamental purposes. Fences shall be limited to six feet in height and shall be connected to the house structure.

Draperies and Window Coverings

All draperies and window coverings visible from outside the home should be of materials and colors which harmonize with the surroundings and design and color of the exterior structure. No bright colors or metallic or mirrored surfaces should be visible from the exterior of the structure. Consideration should be given to the aesthetic view from neighboring homesites and the canyon.

Duplication

No repetition of house design or exterior decoration shall be allowed within Canyon View Estates without specific pre-approval from the Declarant.

Exterior Lighting

Exterior lighting which can be seen from roadways or neighboring homesites must be indirect. The light source must not be clearly visible from outside the fixture (must be indirect). Decorative and/or landscaping lighting may be subject to reasonable limitations imposed by the Declarant. All exterior lighting plans must be submitted for approval to the Declarant, including substantive alterations to existing lighting.

Firewood

Firewood and all other stored materials must be out of sight of the adjacent homesites, inside a Declarant approved structure or storage area (i.e. garage).

Gutters and Downspouts

All gutters and downspouts shall be designed in as a continuous architectural feature, consistent with the building design. Exposed gutters and down spouts shall be colored to blend with the surface to which they are attached.

Heating and Cooling Systems

All exterior parts of the heating and cooling systems must be screened from view from the canyon and adjacent homesites, and where applicable, must be insulated to reduce noise to acceptable levels at adjoining properties. No exterior parts may be located within the set back areas.

Service Yards

Each residence shall have a screened service yard enclosing garbage and trash containers, clothes drying equipment, bicycles, outdoor maintenance equipment, etc., if such storage is not otherwise provided by other parts of the main structure (garage).

Signs

No signs shall be placed or kept on any residence or homesite, other than signs stating the name and address of the occupant, except when the owner or his agent wishes to advertise the property for sale or rent, he may do so within limitations set forth by the Declarant. Only one "for sale" or "for rent" sign may be displayed per homesite. The sign will have a maximum size of 12 inches by 18 inches, and must be professionally made. Also, during construction the owner's builder may have one sign no larger than 18 inches by 24 inches. There are to be no subcontractor or lender signs allowed. Colors and designs of the signs must harmonize with the surrounding landscape and are subject to approval by the Declarant.

In addition, one "open house" sign may be displayed on a temporary (one day at a time) basis when a home site is offered for sale. Such signs shall be no larger than 18 inches by 24 inches and shall be professionally made. "open house" signs must be removed at dusk or when the home is not being shown.

Under no circumstances may an owner or his agent place any kind of sign on other private, common property.

Skylights and Solar Devices

All glass, plastic, or other transparent skylight or solar device shall be treated to eliminate glare. Clear, bronze or gray glazing is preferred over white translucent. Flat skylights are preferred over domes. Any solar heating system must be reviewed and approved by the Declarant prior to construction. Solar heating systems to be constructed on the outside of a residence shall be considered as to how they impact the aesthetics of the view from the canyon and adjacent homesites and shall require pre-approval by the Declarant.

Solar Encroachment

Any plantings that interfere with the existing use of solar energy on an adjacent homesite is prohibited and improvements may be subject to Deschutes County solar setback requirements.

Utilities

Connection of utilities from trunk lines to individual structures must be underground. Exposed plumbing or electrical lines are not allowed. Materials and installation must conform to the electrical and plumbing codes as established by Deschutes County. Water and sewer hookups must be approved by the appropriate inspectors. All areas of excavation for site utility work must be fully restored. Utility meter panels must be hidden from view from the canyon, roadways and adjacent lots.

Parking

Each residence will include a garage for at least 2 cars, which must be connected to the main structure. In addition, a minimum of two exterior parking spaces shall be required for each homesite. Camping vehicles/trailers, trucks, campers, boats, cars under repair, trailers, recreational equipment, etc. shall be completely hidden from view of the canyon, roadways and adjacent homesites. Over-sized garage doors are not permitted.

Exterior Material Treatment

Exterior materials used on all exterior building or structure wall shall present a consistent appearance in order to achieve a uniform design. Exterior colors must harmonize with the surrounding landscape and all colors are subject to approval by the Declarant. Exterior color treatment shall be continuous on all elevations. Duplication of colors of nearby homes is discouraged.

Exterior Walls and Trim

The following materials are approved for use in exterior walls and trim:

- a. Wood: treated with earth tone semi-transparent or solid stains, or earth tone paints. In most cases, siding applications that involve a mix of directions (horizontal, diagonal, vertical) are discouraged. Use of plywood type, or pressed wood siding is strongly discouraged and would require special Declarant pre-approval.

b. Brick: medium to dark earth tone colors. Light-colored brick or contrasting colored brick is discouraged.

c. Textured Masonry block: units are not to exceed 4 inches in height and must be in dark earth tone, natural colors.

d. Stucco: natural colors allowed, according to Declarant approval.

e. Stone: natural earth tone colors and local area materials are recommended. Unusually colored or bright colored stone is discouraged. All stone work is subject to Declarant pre-approval.

Roof Materials

Wood shakes and shingles are approved for use, subject to Deschutes County building codes and Fire Department approval. Any type of wooden roofing material will require the installation of an approved exterior sprinkler system. Concern for fire potential is a major consideration and therefore preferred roofing materials include: slate, tile, concrete tile and metal shake. Ribbed metal roofing is not permitted. All roofing materials shall be of earth tone only and material and color are subject to Declarant approval.

Landscaping

Homesite landscaping is required to a minimum of 30 feet around each residence, subject to setback or lot boundaries. A portion of the landscaping plan shall be of lawn or grasses. Finished landscaping cannot be closer than five feet to boundary lines. All homesites shall be maintained to present a neat and pleasing appearance to the canyon and surrounding property. Landscaping shall be planned to help minimize fire danger for the area and to moderate the potential of blowing dust. In areas where the owner chooses to maintain a more natural appearance for the site, excess fuels (underbrush and dead branches) must be removed and the ground brush thinned. Steps must be taken to restore unsightly scarred areas due to construction activity or other soil damage, and to remove dead plant material and refuse from the site.

Landscaping that is added must include automatic irrigation system installation. A back flow preventer is required and must be maintained according to State of Oregon standards. Maintenance of the landscaping in an attractive condition is required. Landscaping must be completed within 60 days from the date which the residence is ready for occupancy, weather permitting, unless expressly permitted by the Declarant.

Landscaping areas of a homesite which can be seen from the canyon or adjacent homesites shall be treated in a casual, fluid manner so as to integrate well with the natural setting and aesthetics Canyon View Estates.

Trees and Shrubs

No tree over four inches in diameter, major shrub, large rock or other prominent vegetation or natural feature shall be removed from a homesite without the express written consent of the Declarant. Out of consideration for fire hazard, all trees left remaining on a homesite must have all lower dead limbs and branches removed to the 12-foot level. Moderate tree thinning is also recommended to promote vigor in adjacent trees and reduce fire risk, however all reasonable efforts should be made to preserve larger or finer specimens and trees with distinct character (i.e. pleasing or unusual shapes). Wherever practical, trees which screen views from adjacent lots and common roadways should be preserved. On the canyon view side of a homesite, special efforts should be taken to preserve a reasonable number of existing trees, particularly fine or interesting specimens, while also allowing for a reasonable canyon views from the homesite. A "reasonable view" does not mean a view totally devoid of trees however. To help enhance the views of the canyon from a within a homesite it is recommended that due consideration be given to thinning and trimming lower branches and limbs from larger trees resulting in a filtered view through the trees.

In an attempt to retain the natural and aesthetic character of Canyon View Estates efforts should be made to incorporate mainly native Central Oregon trees, shrubs and ground covers in the landscaping plan wherever possible. As much as is reasonable, harmony with the surrounding natural landscape should be the goal. In any case, all landscaping plans, including choice of plantings are subject to Declarant's approval.

For fire considerations, dry grasses and brush under trees must be maintained low enough so that the trees overhead could not be ignited from below in case of fire. Ground vegetation should be dispersed to create variety in vertical and horizontal spacing, and to reduce the danger of spreading fire.

Berms

Berms are allowed where appropriate with a maximum height of 48 inches. No fences will be allowed over berms. Berm design and construction must be approved by the Declarant.

Maintenance

Each homesite owner is required to keep his homesite, landscaping, and all improvements in good repair and attractive condition.

Design and Constructions Considerations

Utilities

Electric power is supplied to each homesite through underground cables by Pacific Power and Light. Electric and all other services to improvements on a homesite must also be underground.

Heating oil or propane gas (or other gas fuels) are provided by local suppliers however any tanks or reservoirs must be approved by the proper regulating authorities and must totally hidden from view from the adjacent homesites, or roadways.

Sewer connection is located at each lot and sewer service is provided by the City of Redmond. Applicable connection fees and service fees are determined by the city and individually billed to the owner.

Water service is available at each homesite and is provided by City of Redmond water system. The hookup fee and monthly water rates are initially set by the developer but will later be determined by an appointed board of directors chosen from homesite owners.

Underground telephone and cable TV service are also provided to each homesite.

Building Permit Requirements

Canyon View Estates is under the auspices of the City of Redmond, Deschutes County, Oregon. The County has adopted the Uniform Building Code as amended by the State of Oregon. The City requires that a building permit be obtained prior to beginning of construction of any improvement or addition. Notwithstanding any Declarant approval, City of Redmond and other governmental agency requirements or restrictions take precedence.

It should be noted that the City of Redmond has adopted solar setback standards which may have an impact on design and siting of residences.

Completion of Construction and Landscaping

As outlined in the Association Declaration, construction completion is required within one year of construction startup. In the event of undue hardship due to weather conditions, this provision may be extended for a reasonable length of time upon written approval from the Declarant.

Landscaping must be completed within 60 days from the date of occupancy of the home, or substantial completion of the home, except in cases of undue hardship due to weather conditions or with special Declarant approval.

Severability

If any section, subsection, paragraph, sentence, clause or phrase of the rules and regulations is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not effect the validity of the remaining portion of these rules.

Non waiver

Consent by the Declarant to any matter proposed to it, or within its jurisdiction, or failure by the Declarant, to enforce any violation of the rules or standards, shall not be deemed to

constitute a precedent or waiver impairing' the Declarant's right to withhold approval as to any similar matter thereafter proposed or submitted to it for consent, or to enforce any subsequent or similar violation of these rules and standards.

SUBMITTAL AND APPROVAL PROCEDURES

The following steps are required for design approval, start of construction and completion of a residence at Canyon View Estates:

- (1) Submit Design Submittal Form (Preliminary) along with all required items and documentation. (3 copies of all drawings required)
- (2) Submit Design Submittal Form (Final) along with required items, documentation, including
- (3) Declarant's fee. (Steps 1 can be bypassed: 3 copies of all drawings required)
- (3) Receive conditional construction approval from the Declarant as evidenced by an executed Conditional Construction Approval Notice. Minor conditions of approval may be required by the Declarant as indicated in the notice
- (4) Receive City of Redmond approval and building permits and any other government approval required.
- (5) Arrange for builder (or general contractor) to submit a Builder information Form to the Declarant, along with a \$1000 Builder Security Deposit
- (6) Begin construction.
- (7) Complete construction and landscaping then request a final site inspection by the Declarant to receive a Final Completion Approval Notice. After receipt of the approval notice, the builder is free to request his Builder Security Deposit to be returned minus the cost of any repair or damage.

PRELIMINARY DESIGN APPROVAL Preliminary design approval is recommended but not required. The purpose of the preliminary approval is to provide an opportunity for review of the proposed designs and early detection of attributes of the design which may not conform to the Declarant guidelines, the aesthetic goals of development at Canyon View Estates, or which may give specific concern to the Declarant members. The preliminary process allows the owner and designer to receive Declarant's advice regarding standards interpretation or design changes which may be requested by the committee, before unnecessary time and money have been expended. The goal of the preliminary process is for the Declarant to work with the owner to expedite easy approval of the final design.

Application for preliminary design approval requires submittal of a Design Submittal Form (Preliminary), plus: 3 copies each of:

- (1) **Site Plan**
- (2) **Building Elevation Drawings (4 sides)**
- (3) **Floor Plans**
- (4) **Landscaping Plan**
- (5) **Materials/Exterior Colors Specifications & Samples**

(Specific details of these items are listed below under "Definitions")

The preliminary design application will not begin until all items above are fully provided by the owner or his agent. No fee is required for consideration of preliminary design approval.

After scrutinizing the preliminary design as submitted, if modifications are required, the Declarant will either discuss recommendations directly with the owner and/or designer, or issue a Design Modification Request Notice. If the design is fully or substantively approved as a preliminary plan, a Conditional Preliminary Design Approval Notice will be issued. Preliminary approval by the Declarant shall not be deemed as final approval of the design or construction, but as an indication of advice and recommendations by the Declarant paving the way for final approval. Regardless of preliminary design approval, final design approval must still be obtained as indicated below, before the design shall be considered fully approved (subject to conditions of the final approval notice), and before construction may begin.

FINAL DESIGN APPROVAL

Final design approval must be obtained before construction can begin. As indicated, the preliminary approval process can be skipped in favor of one all-inclusive application for final approval.

Application for final design approval requires submittal of a signed Design Submittal Form (Final) plus:

3 copies each of:

- (1) **Site Plan**
- (2) **Building Elevation Drawings (4 sides)**
- (3) **Floor Plans**
- (4) **Landscaping Plan**
- (5) **Materials/Exterior Colors Specifications & Samples**
and...
- (6) **Accurately stringing the lot for the structure footprint, lot boundaries & driveway.**
- (7) **Marking all trees slated for removal with red tape.**
- (8) **Submittal of a \$250 fee to: Canyon View Estates: Declarant**

(Specific details of these items are listed below under "Definitions")

The approval process can not begin until all above requirements are met. Upon review of the design as submitted the Declarant will respond with approval of the design, or with an explanation of required modifications to the plan within 30 days of the date all fees, documents and application requirements were fully met.

If the committee fully or substantively approves of the design as submitted, the Declarant will execute and deliver to the owner a Conditional Construction Approval Notice. This notice may list minor adjustments to the design which are a condition of the approval. If the committee feels that substantial design modifications are required, a Design Modification Request Notice will be issued, describing concerns or objections the Declarant has regarding the design as submitted.

INSPECTION

Submittal of an Design Submittal Form shall authorize the Declarant to make necessary on-site inspections of the proposed homesite and improvements. The owner is responsible to notify/the Declarant upon completion of construction and request a final inspection, at which time the Declarant shall verify compliance with the design and plan as previously approved.

EXPIRATION OF APPROVAL

Design approval is valid for construction substantially started within one year of the date of approval. If construction has not begun within one year, a new application must be submitted.

DEFINITIONS

Site Plan: The site plan must complete and at a minimum scale of 1" to 20'. The site plan shall include the perimeter dimensions of the homesite, building and access locations, the topography (with five foot contours), location of all decks, fences, driveways, walkways, and all easements and setbacks as shown on the application subdivision plot

Building Elevations: Elevation drawings of all four sides of the proposed structure as situated on the homesite are required at a scale of 1/4" = 1'

Floor Plans: Floor plans for construction shall be submitted as a scale of 1/4" = 1'. The square footage of each floor shall be designated as well as the total square footage of the proposed plan.

Landscaping Plan: A comprehensive landscaping plan with a minimum scale of 1" = 10' must be submitted as part of the application for design approval. The plan must illustrate the any proposed changes to the contour of the homesite, note driveways, walkways, and any other proposed "floor" surface designs and materials; list names, quantities and sizes of plant materials; show layout of automatic irrigation system. show any berming or raised beds, rock work, fences,

etc. The location of all trees larger than 4 inches in diameter must be indicated on the plan with those slated for removal clearly marked.

Materials/Exterior Colors Specification & Samples: Details and samples of exterior materials (roofing, siding, etc.) must be submitted with the application, along with paint and stain samples or chips.

Accurately Stringing the Lot for Structure Footprint, etc.: The owner is responsible for providing a string layout of the lot boundaries, proposed structure, driveway and on-site parking at the time of application.

Mark All Trees Slated for Removal with Red Tape: In addition to clearly indicating all trees slated for removal on the landscaping plan, the owner is responsible to physically mark each slated tree with red plastic tape (surveyor's tape).

ALTERATION OF EXISTING IMPROVEMENTS OR HOMESITES

Before any improvement in Canyon View Estates can be altered or refinished, whether by excavation, fill, alteration of existing drainage, exterior color change or covering material change, alteration to the landscaping, removal of trees or major shrubs, construction of new structures or additions to existing structures, advance approval must be obtained from the Declarant. The approval process requires submittal of a Request For Alteration Approval Form to the Declarant and provision of one or more of the following as deemed necessary by the Declarant according to the extent and nature of the proposed alterations:

- (1) Site Plan
- (2) Building Elevation Drawings (4 sides)
- (3) Floor Plans
- (4) Landscaping Plan
- (5) Materials / Exterior Colors Specifications & Samples
- (6) String Layout of the Alteration or Improvement
- (7) Marking all trees slated for removal with red tape
- (8) Submittal of a \$150 fee to: Canyon View Estates- Declarant (if the alteration is major)

The Declarant will respond within 30 days with approval or required modifications. Approval of the requested alterations will be evidence by an executed Conditional Alteration Approval Notice.

INSPECTION

Submittal of a Request For Alteration Approval Form shall authorize the Declarant to make physical on-site inspections of the homesite to inspect the site of proposed alterations. The owner is also responsible to notify the Declarant upon completion of the alteration and request a final inspection of the work.

EXPIRATION OF APPROVAL

Approval to undertake alterations expires after six months and alterations begun must be completed within the time period indicated in the Conditional Alteration Approval Notice.

LIST OF DECLARANT FORMS AND NOTICES

Forms:

Design Submittal Form (Preliminary and Final) (Declarant-F-1)
Builder Information & Security Deposit Form (Declarant-F-2)
Request For Alteration Approval Form (DeclarantF-3)

Notices:

Conditional Preliminary Design Approval Notice (Declarant-N-1)
Conditional Construction Approval Notice (Declarant-N-2) Design
Modification Request Notice (Declarant-N-3) Conditional Alteration
Approval Notice (Declarant-N-4) Final Completion Approval Notice
(Declarant-N-5) Friendly Reminder Notice (Declarant-N-6)
Non-Compliance Notice (DeclarantN-7)


File Documents:

Declarant Application Status Sheet
Design Approval Worksheet

IN WITNESS WHEREOF, the undersigned, being Declarant herein, has executed this instrument on February 24, 1997

DECLARANT; CANYON VIEW ASSOCIATES L.L.C.


John P. Lietz
Vice President, The Pennbrook Company, Managing
Member


Tim Vezie, Wide-President, Partner
CANYON VIEW ASSOCIATES, LLC

STATE OF OREGON,

County of Deschutes } ss.

FORM No. 23—ACKNOWLEDGMENT.
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BE IT REMEMBERED, That on this 27th day of March, 1997
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within
named Jim Voize, Partner

known to me to be the identical individual described in and who executed the within instrument and
acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.



Vicki L. Bulkley
Notary Public for Oregon
My Commission expires 10-15-00

EXHIBIT "A"

A parcel of land situate in a portion of the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section Four (4), Township Fifteen (15) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 3 1/4 inch aluminum cap monumenting the North Quarter corner of Section 4, the initial point; thence South 00° 42' 06" West along the East line of the NW1/4 of said Section 4, 2643.28 feet to a 2 inch pipe on the South line of said NW1/4; thence South 89° 51' 40" West along said South line, 1316.04 feet to the East line of the SW1/4 of said NW1/4 and the true point of beginning; thence South 89° 51' 40" West along said South line, 454.69 feet to a 1/2 inch pipe on the brink of a canyon rim; thence along the brink of said rim as follows: North 12° 40' 27" East, 213.59 feet; thence North 24° 36' 56" West, 242.94 feet; thence North 10° 42' 45" West, 59.61 feet; thence North 40° 49' 11" West, 106.32 feet; thence North 34° 06' 48" West 273.90 feet; thence North 20° 09' 41" West, 87.42 feet; thence North 45° 51' 18" West, 191.10 feet; thence North 37° 34' 40" West, 89.86 feet; thence North 24° 31' 56" West, 255.84 feet to a 5/8 inch re-bar on the North line of said SW1/4 NW1/4, thus ending this boundary along said brink; thence North 89° 56' 13" East along said North line, 1086.42 feet to the East line of said SW1/4 NW1/4; thence South 00° 39' 03" West along said East line, 1314.34 feet to the point of beginning.

EXCEPTING THEREFROM the following described property: Commencing at a 3 1/4" aluminum cap monumenting the North 1/4 corner of Section 4, Township 15 South, Range 13 East of the Willamette Meridian, the initial point; thence South 00° 42' 06" West along the East line of the NW1/4 of said Section 4 - 2643.28 feet to a 2" pipe on the South line of said NW1/4; thence South 89° 51' 40" West along said South line - 1316.04 feet to the East line of the SW1/4 of said NW1/4 and the true point of beginning; thence North 89° 51' 30" West along said South line - 342.27 feet to the NE corner of Lot 1, Block 2 of NORTH CANYON ESTATES and the West line of North Canyon Drive; thence North 00° 38' 15" East along the prolongation of the West line of said Drive - 30.00 feet to a 1/2" pipe on the North R/W of NE Quince Avenue; thence North 89° 51' 40" East along said R/W - 342.27 feet to a 1/2" pipe on the East line of said SW1/4 NW1/4; thence South 00° 39' 03" West along said East line - 30.00 feet to the point of beginning.

STATE OF OREGON)
 COUNTY OF DESCHUTES) SS.

I, MARY SUE PENNOLLOW, COUNTY CLERK AND
 RECORDER OF CONVEYANCES, IN AND FOR SAID
 COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
 INSTRUMENT WAS RECORDED THIS DAY:

97 MAR 28 AM 11:53

BY J. J. Gromowski DEPUTY
 NO. 97-10276 FEE 135.00
 DESCHUTES COUNTY OFFICIAL RECORDS