



00309379200400617560020024

10/14/2004 03:38:39 PM

D-CCR Cnt=1 Stn=23 SHIRLEY
\$10.00 \$11.00 \$10.00 \$5.00

After recording return to:

Francis Hansen & Martin LLP
1148 NW Hill Street
Bend, OR 97701

FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR
CLOUD NINE ESTATES HOMEOWNERS ASSOCIATION, INC.

1. The Declaration of Covenants, Conditions and Restrictions for Cloud Nine Estates Homeowners Association, Inc. ("CCRs") were recorded on May 6, 2003 at Volume 2003, Page 30188.
2. The CCRs at paragraph 11.6 allows the CCRs to be amended by an instrument approved by seventy-five percent (75%) of the Owners and Declarant.
3. The following paragraphs in Article 6, Use Restrictions: Architectural Controls and Maintenance Responsibilities of the CCRs are amended as follows:

6.8 Fences. *Six foot (6') perimeter fences for the rear and side yards of the Property and three foot (3') fences for front yards are the only permitted fences. Side yards commence twenty feet (20') from the front property line. The style and type of fences shall be identical to the fences constructed by the Declarant during the initial building of homes in Cloud Nine Estates.*

6.11 Parking. *Each Living Unit shall maintain and use garage space available to park all vehicles used on a daily basis. Parking of any vehicle of any nature, including motor vehicles, recreational vehicles, trailers, and/or boats on the streets of Cloud Nine Estates for a period more than two (2) days per month is prohibited.*

6.12 Outdoor Storage. *Outdoor parking and storage of vehicles, recreational vehicles, trailers or boats is prohibited."*

4. The CCRs and this Amendment shall run with the land included in Cloud Nine Estates and shall bind, benefit and burden each lot in Cloud Nine Estates. The terms of this Amendment shall inure to the benefit and shall bind Declarant, all successors, and assigns of Declarant, and all owners of any lot in Cloud Nine Estates, their successors, assigns, heirs, administrators, executors, mortgagees, lessees, invitees, or any other party claiming or deriving any right, title or interest in use of or to any real property in Cloud Nine Estates. The use restrictions and regulations set forth in this Amendment shall be binding upon all owners, lessees, licensees, occupants, and users of the property known as Cloud Nine Estates and their successors in interest, as set forth in this Amendment, including any person who holds such interest as security holder in actual possession of any lot by foreclosure or otherwise, and any other person taking title from such security holder.
5. All other terms and conditions of the Declaration of Covenants, Conditions and Restrictions for Cloud Nine Estates Homeowners Association, Inc. shall remain the same.
6. The President and Secretary of Cloud Nine Estates Homeowners Association, Inc. certify that this First Amendment to the Declaration of Covenants, Conditions and Restrictions of Cloud Nine Estates Homeowners Association, Inc. was adopted in accordance with the Declaration of Cloud Nine Estates Homeowners Association, Inc. and approved by seventy-five percent (75%) of the Owners and Declarant.

Francis Hansen & Martin, LLP
1199 N.W. Wall Street • Bend, Oregon 97701-1934
(541) 389-5010

2/12

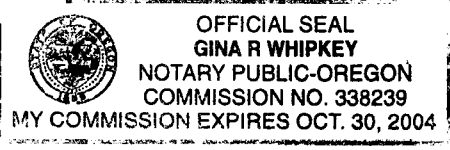
IN WITNESS WHEREOF, the President and Secretary of "CLOUD NINE ESTATES HOMEOWNERS ASSOCIATION, INC.," a subdivision in Deschutes County, Oregon have caused this instrument to be executed for recording as the First Amendment to the Declaration of Covenants, Conditions and Restrictions for "CLOUD NINE ESTATES HOMEOWNERS ASSOCIATION, INC." this 13th day of October, 2004.

William J. Matthews
WILLIAM J. MATTHEWS, President

William J. Matthews
WILLIAM J. MATTHEWS, Secretary

STATE OF OREGON)
) ss.
County of Deschutes)

On this 13th day of October, 2004, personally appeared before me, William J. Matthews, who being duly sworn, states he is the President and Secretary of CLOUD NINE ESTATES HOMEOWNERS ASSOCIATION, INC., an Oregon nonprofit corporation, and that the foregoing instrument was signed and sealed on behalf of said corporation and he/she acknowledged said instrument to be the voluntary act and deed of said corporation.



Gina R Whipkey
Notary Public for Oregon

Francis Hansen & Martin, LLP
1199 N.W. Wall Street • Bend, Oregon 97701-1934
(541) 389-5010