

↓ 81.00

DESCHUTES COUNTY OFFICIAL RECORDS 2001-38340  
MARY SUE PENHOLLOW, COUNTY CLERK



\$81.00

00007931200100383400110111

08/06/2001 11:00:07 AM

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

D-PCD Cnt=1 Stn=4 TIFFANY

\$55.00 \$11.00 \$10.00 \$5.00

→ River Bend Limited Partnership  
15 SW Colorado Ave., Suite A  
Bend, Oregon 97702

Recorded by AmeriTitle as an  
accommodation only. No liability  
is accepted for the condition of  
title or for the validity, sufficiency,  
or effect of this document.

**SUPPLEMENTAL DECLARATION TO AMENDED AND RESTATED  
MASTER DECLARATION OF COVENANTS, CONDITIONS,  
AND RESTRICTIONS FOR RIVER BEND**

This SUPPLEMENTAL DECLARATION TO AMENDED AND RESTATED MASTER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR RIVER BEND ("Supplemental Declaration") shall be effective upon its recording in the deed records of Deschutes County, Oregon and is made and executed this 3rd day of August, 2001, by RIVER BEND LIMITED PARTNERSHIP, an Oregon limited partnership.

Recitals:

- A. Declarant owns that certain real property located in Deschutes County, Oregon more particularly described on the attached Exhibit A (the "Property").
- B. Declarant previously executed that certain Amended and Restated Master Declaration of Covenants, Conditions, and Restrictions for River Bend, recorded in the Official Records of Deschutes County, Oregon on November 4, 1997, in Book 468, Page 1683, Document No. 97-41096 and re-recorded on June 26, 1998, in Book 499, Page 2948, Document No. 98-27427 (the "Master Declaration").
- C. The Master Declaration permits the subjection of Potential Expansion Property to the Master Declaration. The Property is part of the Potential Expansion Property. As the owner of the Property, Declarant has the right, pursuant to Section 2.1 of the Master Declaration, to annex the Property to the Master Declaration without the approval of the Members.
- D. Declarant desires that the Property be subjected to the Master Declaration on the terms and conditions contained in this Supplemental Declaration.

Declarations:

1. Definitions. Except to the extent set forth in this Supplemental Declaration, capitalized terms used herein shall have the meaning given to such terms in the Master Declaration.

After recording, return to  
Amerititle  
15 OREGON AVENUE, BEND

PDXDOCS:1247382.2

2. Property Subject to Master Declaration. The Property hereby is annexed and subjected to the Master Declaration. From and after the date this Supplemental Declaration is recorded in the Official Records of Deschutes County, Oregon, the Property shall be subject to all of the terms, provisions, conditions and obligations set forth in the Master Declaration, as amended or restated from time to time. This Supplemental Declaration may be amended only in accordance with the provisions set forth in Section 18.2 of the Master Declaration with respect to amendment of the Master Declaration. The Master Declaration, as supplemented by this Supplemental Declaration, remains in full force and effect.

3. Severability. Each provision of this Supplemental Declaration and the Master Declaration shall be deemed independent and severable, and the validity or partial invalidity of any provision shall not affect the validity or enforceability of the remaining part of that or any other provision of this Supplemental Declaration or the Master Declaration.

Declarant has caused this Supplemental Declaration to be executed as of the date first set forth above.

Declarant:

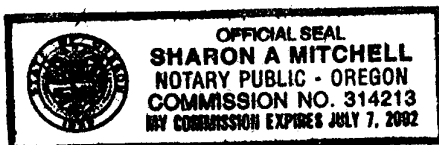
RIVER BEND LIMITED PARTNERSHIP, an  
Oregon limited partnership

By: The Bend Company, an Oregon corporation,  
General Partner

By: William L. Smith  
William L. Smith, President

STATE OF OREGON       )  
                                  ) SS  
COUNTY OF DESCHUTES )

The foregoing instrument was acknowledged before me on this 30<sup>th</sup> day of August, 2001, by William L. Smith, who is the President of The Bend Company, an Oregon corporation, general partner of River Bend Limited Partnership, an Oregon limited partnership, on behalf of the limited partnership.



Sharon A. Mitchell  
Notary Public for Oregon  
My Commission Expires: July 7, 2002

PARCEL 1  
**EXHIBIT A**

A parcel of land containing 12.51 acres, more or less, located in a portion of the Northeast One-quarter of Section 5, Township 18 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the southeast corner of Lot 11 of the plat of Upper Terrace, Phase II as recorded on January 15, 1999 in plat cabinet E, pages 156-166 in the office of the Deschutes County Clerk; thence along the south boundary line of said Lot 11 South 89°24'05" West a distance of 495.37 feet to the southwest corner of said Lot 11; thence leaving said south boundary line and along the boundary of said plat South 89°24'05" West a distance of 60.00 feet to the southeast corner of Lot 12 of said plat; thence along the easterly and northerly boundary lines of said Lot 12 the following three (3) courses and three (3) curves:

North 00°32'11" West a distance of 308.27 feet;  
98.55 feet along the arc of a tangent curve to the right with a radius of 195.00 feet, the chord of which bears North 13°56'32" East a distance of 97.51 feet;  
33.39 feet along the arc of a reverse curve to the left with a radius of 23.00 feet, the chord of which bears North 13°10'15" West a distance of 30.54 feet;  
North 54°46'15" West a distance of 193.48 feet;  
113.02 feet along a non-tangent curve to the left with a radius of 370.00 feet, the chord of which bears North 68°09'05" West a distance of 112.58 feet;  
North 76°54'08" West a distance of 48.04 feet;

Thence leaving said boundary lines of Lot 12 and along the boundary of said plat the following two (2) courses and one (1) curve:

North 26°20'38" East a distance of 10.27 feet;  
North 76°54'08" West a distance of 117.18 feet;  
9.05 feet along the arc of a tangent curve to the left with a radius of 23.00 feet, the chord of which bears North 88°10'46" West a distance of 9.00 feet;

Thence leaving said plat boundary 96.32 feet along a non-tangent curve to the left with a radius of 636.71 feet, the chord of which bears North 19°34'13" East a distance of 96.23 feet to a point on the westerly boundary line of Lot 8 of said plat; thence along the westerly and northerly boundary lines of said Lot 8 the following three (3) curves and two (2) courses:

174.83 feet along a non-tangent curve to the left with a radius of 636.71 feet, the chord of which bears North 07°22'13" East a distance of 174.28 feet  
79.65 feet along the arc of a reverse curve to the right with a radius of 55.00 feet, the chord of which bears North 40°59'30" East a distance of 72.87 feet;  
North 82°28'45" East a distance of 126.57 feet;

39.34 feet along the arc of a tangent curve to the right with a radius of 55.00 feet, the chord of which bears South 77°01'44" East a distance of 38.51 feet;  
South 56°32'13" East a distance of 2.27 feet;

Thence leaving said boundary lines of Lot 8 and along the boundary of said plat the following two (2) curves and two (2) courses:

33.89 feet along a non-tangent curve to the left with a radius of 1285.33 feet, the chord of which bears North 29°37'07" East a distance of 33.88 feet;  
South 39°41'47" East a distance of 214.49 feet;  
66.88 feet along the arc of a tangent curve to the left with a radius of 200.00 feet, the chord of which bears South 49°16'35" East a distance of 66.57 feet;  
South 58°51'22" East a distance of 61.80 feet;  
North 89°27'51" East a distance of 57.22 feet to the northwest corner of Lot 10 of said plat;

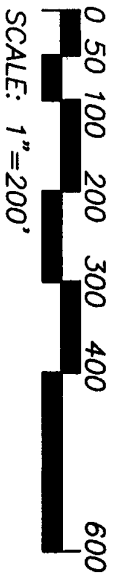
Thence along the northerly and easterly boundary lines of said Lot 10 the following four (4) courses:

North 89°27'51" East a distance of 346.81 feet;  
South 04°53'22" East a distance of 304.12 feet;  
South 09°42'16" West a distance of 137.14 feet;  
South 07°07'32" East a distance of 9.48 feet to the southeast corner of said Lot 10;

Thence leaving said boundary lines of Lot 10 and along the easterly boundary line of said plat South 07°07'32" East a distance of 227.58 feet to the northeast corner of said Lot 11; thence along the easterly boundary line of said Lot 11 South 07°07'32" East a distance of 72.40 feet to the point of beginning, the terminus of this description.

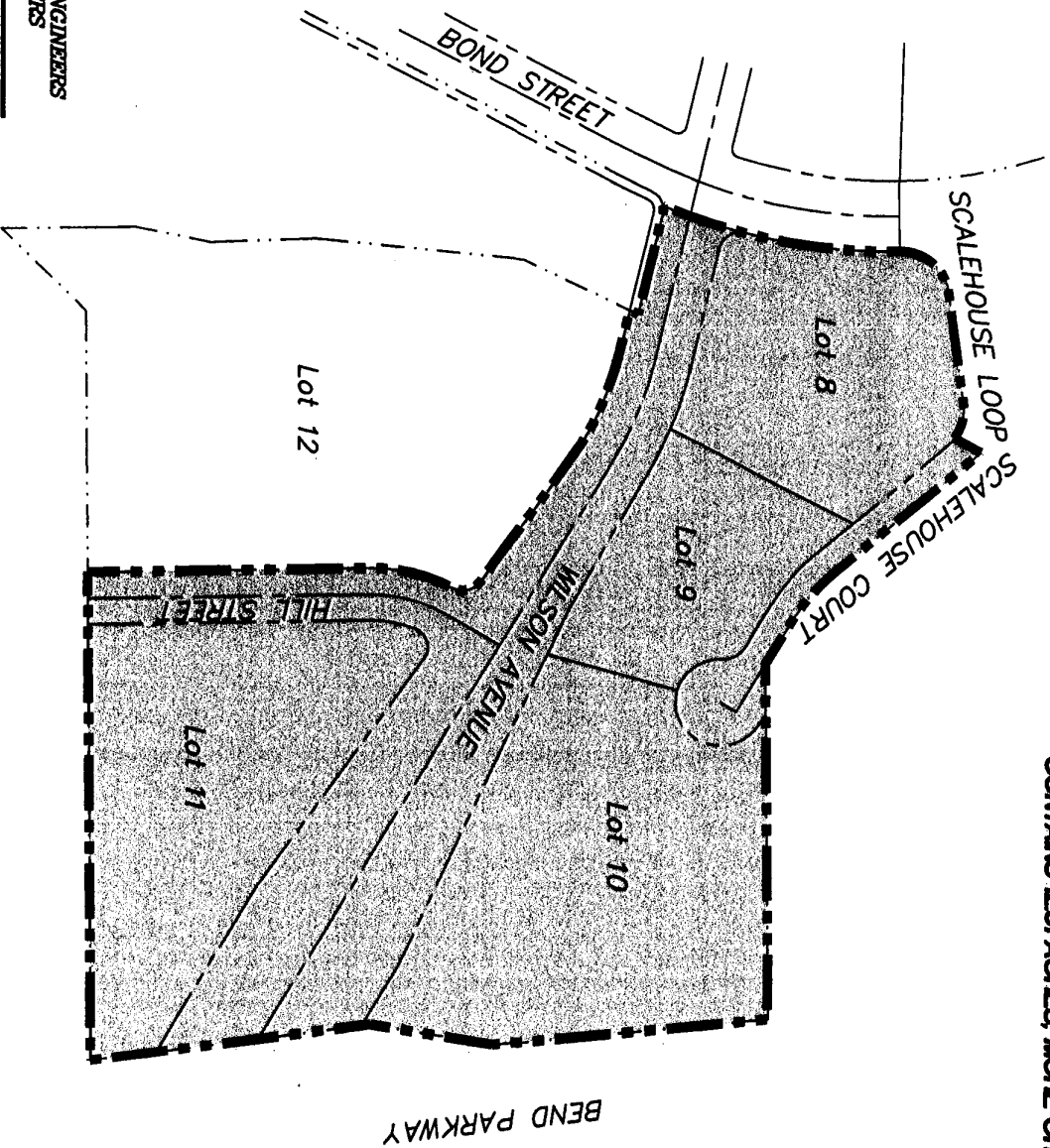
**Subject to:** All easements, restrictions and rights-of-way of record and those common and apparent on the land.

See attached map entitled "EXHIBIT B", hereby incorporated by reference.



# EXHIBIT "B"

CONTAINS 12.51 ACRES, MORE OR LESS



SURVEYORS, ENGINEERS  
& PLANNERS

HICKMAN, WILLIAMS & ASSOCIATES, INC  
805 SW INDUSTRIAL WAY, SUITE 10, BEND, OREGON 97702  
PHONE (541) 389-9351

PREPARED BY:

971212/CC&R's2

PARCEL 2  
**EXHIBIT A**

A parcel of land containing 14.85 acres, more or less, located in a portion of the NW1/4 of the SW1/4, NE1/4 of the SW1/4, and the SE1/4 of the SW1/4 of Section 5, Township 18 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

Beginning at a point on the thread of the Deschutes River, said beginning point also being the southwest corner of the plat of Upper Terrace, Phase II as recorded on January 15, 1999 in plat cabinet E, page 156 in the office of the Deschutes County Clerk; thence leaving said thread and along the south boundary line of said plat the following three (3) courses and three (3) curves:

South 69°08'34" East a distance of 130.50 feet;  
94.69 feet along the arc of a tangent curve to the right with a radius of 230.00 feet, the chord of which bears South 57°20'54" East a distance of 94.02 feet;  
South 45°33'15" East a distance of 280.21 feet;  
63.75 feet along the arc of a tangent curve to the left with a radius of 150.00 feet, the chord of which bears South 57°43'43" East a distance of 63.27 feet;  
South 69°54'11" East a distance of 7.48 feet;  
72.26 feet along the arc of a tangent curve to the left with a radius of 46.00 feet, the chord of which bears North 65°05'49" East a distance of 65.05 feet;

Thence leaving said south boundary line 60.65 feet along the arc of a non-tangent curve to the left with a radius of 540.00 feet, the chord of which bears South 16°52'46" West a distance of 60.62 feet; thence South 13°39'43" West a distance of 101.57 feet; thence 339.08 feet along the arc of a tangent curve to the right with a radius of 350.00 feet, the chord of which bears South 41°24'57" West a distance of 325.97 feet; thence South 69°10'10" West a distance of 95.47 feet; thence 114.33 feet along the arc of a tangent curve to the left with a radius of 440.00 feet, the chord of which bears South 61°43'31" West a distance of 114.01 feet; thence 111.56 feet along the arc of a compound curve to the left with a radius of 440.00 feet, the chord of which bears South 47°01'04" West a distance of 111.26 feet; thence South 39°45'16" West a distance of 180.91 feet; thence 408.93 feet along a non-tangent curve to the left with a radius of 990.00 feet, the chord of which bears North 78°21'27" West a distance of 406.03 feet; thence South 89°48'27" West a distance of 102.78 feet; thence South 89°43'13" West a distance of 133.61 feet; thence North 59°43'59" West a distance of 238.10 feet; thence North 04°01'59" West a distance of 77.19 feet to a point on said thread of the Deschutes River; thence along said thread the following five (5) courses:

North 85°58'01" East a distance of 69.30 feet;  
North 70°29'07" East a distance of 693.60 feet;  
North 28°46'55" East a distance of 472.63 feet;  
North 13°01'35" East a distance of 79.70 feet to the point of beginning, the terminus of this description.

August 1, 2001

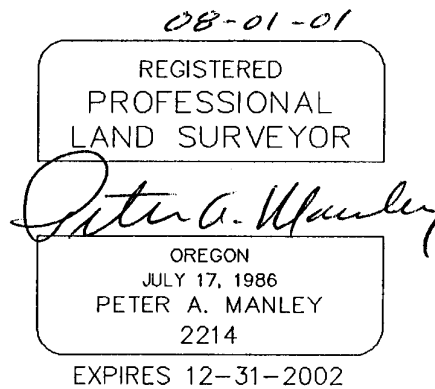
S:\Land Projects\Old Mill District\dwg\OldmillMisc-971212\docs\eastrmndr.doc

Page 1 of 2

6

**Subject to:** All easements, restrictions and right-of-ways of record and those common and apparent on the land.

See attached map titled "EXHIBIT B", hereby incorporated by reference.



JOB #	971212
DATE	08-01-01
BY	PM
CHKD	EF

August 1, 2001

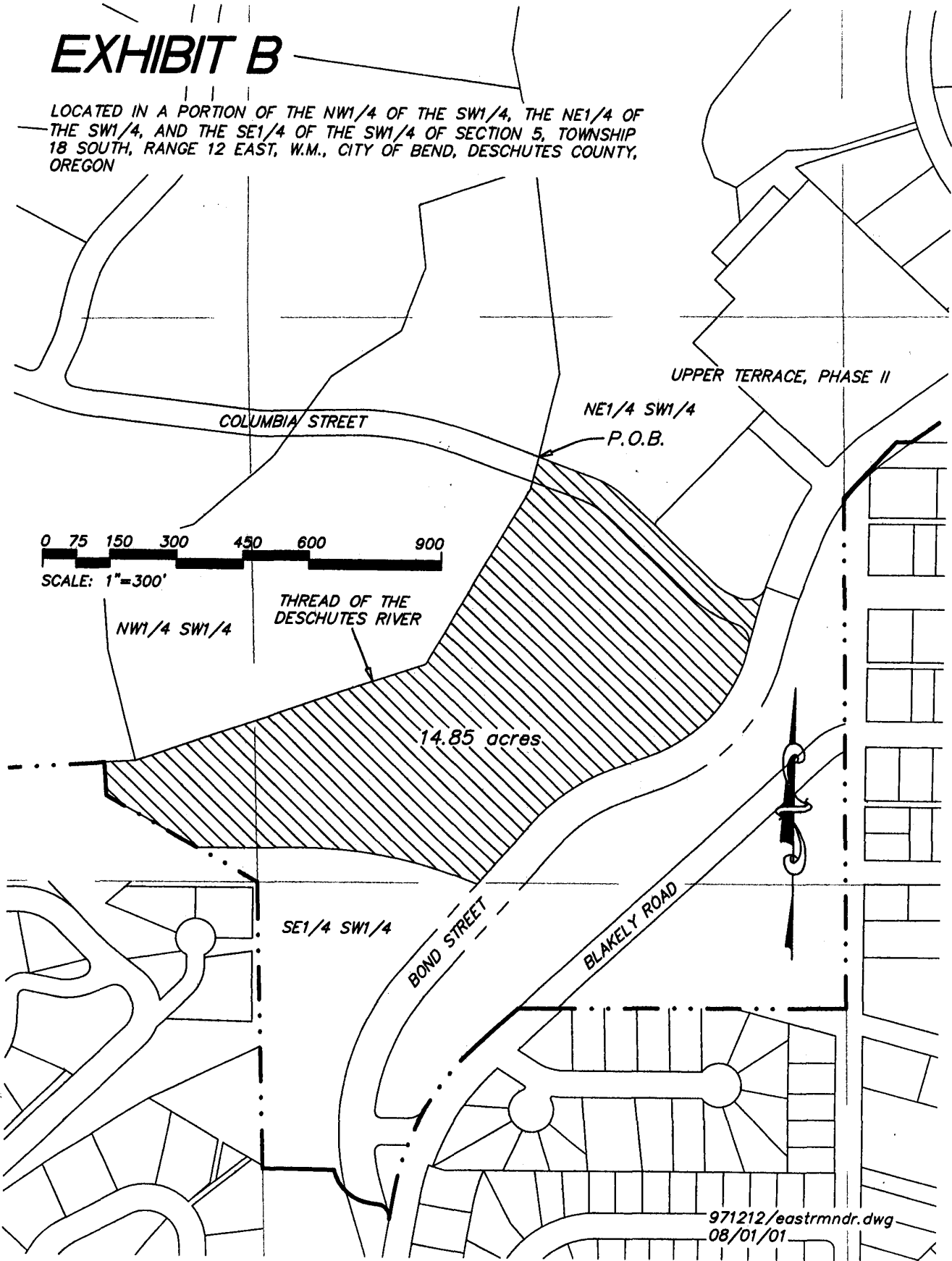
S:\Land Projects\Old Mill District\dwg\OldmillMisc-971212\docs\eastrmndr.doc

Page 2 of 2

7

# EXHIBIT B

LOCATED IN A PORTION OF THE NW1/4 OF THE SW1/4, THE NE1/4 OF THE SW1/4, AND THE SE1/4 OF THE SW1/4 OF SECTION 5, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M., CITY OF BEND, DESCHUTES COUNTY, OREGON





PARCEL 3

**EXHIBIT A**

A parcel of land containing 55.11 acres, more or less, located in a portion of the NW1/4 of the SW1/4, NE1/4 of the SW1/4, SW1/4 of the NW1/4, and the SE1/4 of the NW1/4 of Section 5, Township 18 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the southwest corner of the plat of Westside-North, Phase I as recorded on November 23, 1998 in plat cabinet E, page 131 in the office of the Deschutes County Clerk; thence along the south boundary line of said plat the following four (4) courses and one (1) curve:

South 86°06'15" East a distance of 532.08 feet;  
South 64°37'00" East a distance of 60.00 feet;  
125.25 feet along a non-tangent curve to the left with a radius of 330.00 feet, the chord of which bears North 14°30'37" East a distance of 124.50 feet;  
North 03°38'15" East a distance of 122.00 feet;  
South 82°06'14" East a distance of 691.39 feet to a point on the thread of the Deschutes River; thence along said thread the following seven (7) courses:

South 11°37'14" East a distance of 182.78 feet;  
South 07°11'35" East a distance of 479.37 feet;  
South 13°01'35" West a distance of 278.23 feet;  
South 28°46'55" West a distance of 472.63 feet;  
South 70°29'07" West a distance of 693.60 feet;  
South 85°58'01" West a distance of 520.25 feet;  
North 74°04'12" West a distance of 472.66 feet;

Thence leaving said thread North 01°41'27" East a distance of 299.93 feet; thence North 64°25'36" East a distance of 100.60 feet; thence North 74°25'32" East a distance of 69.18 feet; thence North 40°47'08" East a distance of 203.26 feet; thence North 02°30'53" East a distance of 158.79 feet; thence North 75°42'46" West a distance of 130.47 feet; thence North 48°22'50" West a distance of 58.43 feet; thence North 82°31'59" West a distance of 102.97 feet; thence North 18°21'32" East a distance of 68.77 feet; thence North 51°22'43" East a distance of 81.69 feet; thence North 38°53'58" East a distance of 63.54 feet; thence North 38°53'58" East a distance of 122.41 feet to a point on the south boundary line of the plat of Shevlin Center Business Park, Phase I as recorded on April 19, 1989 in plat cabinet C, page 307 in the office of the Deschutes County Clerk; thence along the south and east boundary lines of said plat the following four (4) courses:

South 50°41'07" East a distance of 72.22 feet;  
North 23°14'37" East a distance of 370.10 feet;  
North 06°49'02" East a distance of 171.47 feet;  
South 77°18'30" East a distance of 50.12 feet to a point on the west boundary line of said plat of Westside-North, Phase I;

August 1, 2001

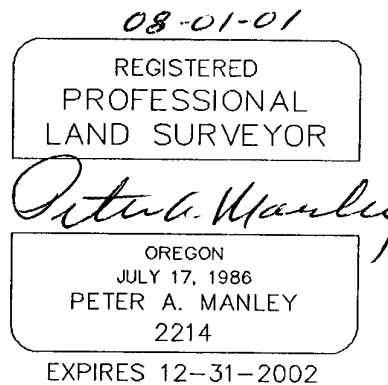
S:\Land Projects\Old Mill District\dwg\OldmillMisc-971212\docs\westrmndr.doc

Page 1 of 2

thence leaving the boundary line of said plat of Shevlin Center Business Park, Phase I and along the west boundary line of said plat of Westside-North, Phase I South 03°18'35" East a distance of 80.30 feet to the point of beginning, the terminus of this description.

**Subject to:** All easements, restrictions and right-of-ways of record and those common and apparent on the land.

See attached map titled "EXHIBIT B", hereby incorporated by reference.



JOB #	971212
DATE	08-01-01
BY	PM
CHKD	EF

August 1, 2001

S:\Land Projects\Old Mill District\dwg\OldmillMisc-971212\docs\westrmndr.doc

Page 2 of 2

10

# EXHIBIT B

LOCATED IN A PORTION OF THE NW1/4 OF THE SW1/4, THE NE1/4 OF THE SW1/4, THE SW1/4 OF THE NW1/4, AND THE SE1/4 OF THE NW1/4 OF SECTION 5, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M., CITY OF BEND, DESCHUTES COUNTY, OREGON

