

AMENDED BUILDING AND USE
RESTRICTIONS OF
DESCHUTES RIVER RECREATION HOMESITES
UNIT 9 (Parts 1 and 2)
Deschutes County, Oregon

KNOW ALL MEN BY THESE PRESENTS, That DESCHUTES RIVER RECREATION HOMESITES, INC., an Oregon corporation, owner of Unit 9 (Parts 1 and 2), Deschutes River Recreation Homesites, according to the official map and plat thereof on file in the office of the County Clerk, Deschutes County, Oregon, does hereby amend those certain building and use restrictions, as above entitled, dated April 7, 1965, as follows:

1) Delete Section 17 thereof, and substitute in lieu thereof, the following:

The owner has caused to be formed a nonprofit organization, known as the DESCHUTES RIVER RECREATION HOMESITE PROPERTY OWNERS ASSOCIATION (hereinafter referred to as "Association", which organization has been formed for the purpose of providing for the operation, maintenance, repair, rebuilding or rehabilitation of roads, streets and public ways of Deschutes River Recreation Homesites, Deschutes County, Oregon, for the benefit of members of the Association who have purchased lots from the owner. The Association has a board of directors of five persons, initially selected by the owner to serve until April 10, 1966, or until their successors are duly elected by the membership at its organizational meeting.

2) Delete Section 19 thereof, and substitute in lieu thereof, the following:

There shall be no dues to the membership of the Association, and in lieu thereof the directors shall annually assess each lot in the subdivision its proportionate share of the costs for maintenance of said roads, streets and public ways. The costs of said operation and maintenance shall include the necessary amounts incurred by the directors for insurance, bond premiums, equipment rental, materials and labor required in such operation and maintenance. The owner of the subdivision shall pay a like assessment for each lot remaining unsold in said subdivision, it being the intention hereof that all assessments shall be uniform as much as is practicable. At such time as Deschutes County or any other political subdivision of the State of Oregon shall assume the responsibility for such operation and maintenance, there shall be no further assessments.

3) Delete Section 3 thereof, and substitute in lieu thereof, the following:

The following described lots may be used for Residential or Commercial purposes:

- Lots 94 through 107, Block 53
- Lots 105 through 115, Block 58
- Lots 9 Block 61

4) Except as hereinabove set forth, the building and use restrictions of April 7, 1965, above referred to shall remain in full force and effect.

Dated this 9th day of April, 1965.

DESCHUTES RIVER RECREATION HOMESITES, INC.,
AN Oregon corporation

By Dan H. Heierman President
Dan H. Heierman

Attest: Norman I. Swanson Secretary
Norman I. Swanson

STATE OF OREGON } ss.
County of Deschutes }

On this 9th day of April, 1965, before me appeared Dan H. Heierman and Norman I. Swanson, both to me personally known, who, being duly sworn, did say that he, the said Dan H. Heierman is the President, and he, the said Norman I. Swanson, is the Secretary of Deschutes River Recreation Homesites, Inc., the within named corporation, by authority of its board of directors, and Dan H. Heierman and Norman I. Swanson acknowledged said instrument to be the free act and deed of said corporation. In testimony whereof, I have hereunto set my hand and seal the day and year last above written.

Norman I. Swanson
Notary Public for Oregon
My Commission expires 3-1-68