

DECLARATION OF DESIGNATION
(Eagle Crest Estate Homesites)

This Declaration made this 4th day of October, 1994,
by EAGLE CREST PARTNERS LTD., an Oregon limited partnership ("Declarant"), is
made with reference to the following recitals and is as follows:

RECITALS

A. Declarant is the developer of certain real property (the "Property") located in the County of Deschutes, State of Oregon, comprising 138 homesites ("Estates Homesites") and related common areas. The Property is subject to the covenants, conditions and restrictions contained in that certain Declaration of Covenants, Conditions and Restrictions (Eagle Crest Estate Homesites) originally recorded June 24, 1985, in Volume 98, Page 718 of Official Records of the Office of the County Recorder of Deschutes County, Oregon (the "Declaration"), as the Declaration may be amended.

B. Pursuant to the Second Amendment to Declaration of Covenants, Conditions and Restrictions (Eagle Crest Estate Homesites) recorded March 31, 1987 in Volume 143, Page 1702 of the Official Records of the Office of the County Recorder of Deschutes County, Oregon, the Third Amendment to Declaration of Covenants, Conditions and Restrictions (Eagle Crest Estate Homesites) recorded July 15, 1988 in Volume 166, Page 2678 of the Official Records of the Office of the County Recorder of Deschutes County, Oregon, and the Fourth Amendment to Declaration of Covenants, Conditions and Restrictions (Eagle Crest Estate Homesites) recorded May 22, 1989 in Volume 184, Page 1874 of the Official Records of the Office of the County Recorder of Deschutes County, Oregon (collectively called the "Declaration Amendments"), the Declaration was amended to provide for ownership of not more than twenty (20) Estate Homesites to be divided into tenant-in-common interests, with periodic exclusive use rights assigned to each such interest, subject to certain limitations described in the Declaration Amendments.

C. By this Declaration of Designation, Declarant intends to confirm the designation of the certain twenty (20) Estate Homesites for division into tenant-in-common interests as allowed by the Declaration Amendments, all as more particularly described below. Further, by this Declaration, Declarant intends to remove the designation allowing not more than four (4) tenant-in-common interests from Lot 20, Block 6 as shown on Eagle Crest Plat VI recorded November 29, 1989 in the Office of the County Recorder, Deschutes County, Oregon.

NOW, THEREFORE, in furtherance of such intent, Declarant hereby confirms that the Estate Homesites described on Exhibit A, which is attached hereto and made a part hereof, have been designated for division into tenant-in-common interests as described in Exhibit A and as provided in the Declaration Amendments.

After recording, return to:
BEND TITLE COMPANY
1195 N.W. WALL, BEND

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Kevin Smith

EC Job 1215

FURTHER, Declarant, as owner of record of Lot 20, Block 6, Eagle Crest Plat VI recorded November 29, 1989 in the Office of the County Recorder, Deschutes County, Oregon, hereby removes the designation allowing not more than four (4) tenant-in-common interests from said lot.

IN WITNESS WHEREOF, the Declarant has hereunto caused this Declaration to be executed the day and year first above written.

"DECLARANT"
EAGLE CREST PARTNERS LTD., by
Eagle Crest G.P., inc., its General Partner

By *Lauri J. Miller, Asst. Secretary*
Jerol Edwards, President
Lauri J. Miller, Asst. Secretary

STATE OF OREGON)
) SS.
COUNTY OF DESCHUTES)

On the 4th day of October, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared *Lauri J. Miller*, the *Asst. Secretary* of Eagle Crest G.P., inc., General Partner of EAGLE CREST PARTNERS LTD., on behalf of the partnership.



Terri L. Brown
Ex 3/27/98

EXHIBIT A

To the Declaration of Designation

All of the following lots as shown on the Eagle Crest Plat recorded June 24, 1985 in the office of the county recorder, Deschutes, Oregon:

<u>Lot and Block No.</u>	<u>Tenant-in common interests</u>
Lot 12, Block 6	4
Lot 3, Block 7	4
Lot 5, Block 7	4
Lot 6, Block 7	4
Lot 7, Block 7	7
Lot 8, Block 7	5
Lot 14, Block 7	4
Lot 16, Block 7	4
Lot 19, Block 7	4
Lot 20, Block 7	4
Lot 21, Block 7	4
Lot 5, Block 9	4
Lot 8, Block 9	4
Lot 10, Block 9	7
Lot 11, Block 9	7
Lot 14, Block 9	4
Lot 23, Block 9	4

AND

All of the following lots as shown on the Eagle Crest Plat III recorded August 31, 1989 in the office of the county recorder, Deschutes, Oregon:

<u>Lot and Block No.</u>	<u>Tenant-in-common interests</u>
Lot 24, Block 7	4

AND

All of the following lots as shown on the Eagle Crest Plat VI recorded November 29, 1989 in the office of the county recorder, Deschutes, Oregon:

<u>Lot and Block No.</u>	<u>Tenant-in-common interests</u>
Lot 25, Block 6	4

AND

All of the following lots as shown on the Eagle Crest Plat VII recorded September 12, 1990 in the office of the county recorder, Deschutes, Oregon:

<u>Lot No.</u>	<u>Tenant-in-common interests</u>
Lot 13	4

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STATE OF OREGON) SS.
COUNTY OF DESCHUTES)

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

94 OCT -5 AM 10:42

MARY SUE PENHOLLOW
COUNTY CLERK

BY: Tim Moore DEPUTY
NO. 94-39396 FEE 20.00
DESCHUTES COUNTY OFFICIAL RECORDS