

**THIRD AMENDMENT OF THE DECLARATION OF
COVENANTS, CONDITIONS & RESTRICTIONS OF
ELKHORN ESTATES**

Bend I Ltd., the Grantor under that certain Declaration of Conditions, Covenants and Restrictions recorded on August 7, 1995, in Volume 381, Page 41, Official Records, amended by instrument recorded September 1, 1995, Volume 383, Page 2261, Official Records and amended by instrument recorded April 24, 1994, in Volume 445, Page 2374, Official Records, in Deschutes County, Oregon, hereby desires to modify certain terms of the Declaration as follows:


The above described Declaration of Conditions, Covenants, and Restrictions will include the following described property:

Commencing at a 3/4" Iron pipe monumenting the Southwest corner of Lot 17, "Elkhorn Estates Phase 1, 2 and 3", said point being the initial point of "Elkhorn Estates Phase 8" as well as the true point of beginning; thence along the westerly boundary of said "Elkhorn Estates Phase 1, 2 and 3" as follows S85°37'46" E - 25.03 feet to a 3/4" pipe; thence S07°08'03"W - 100.12 feet to a 3/4" pipe; thence S06°73'02"W - 60.03 feet to a 3/4" pipe; thence S06°17'41"W - 131.72 feet to a 3/4" pipe; thence N83°42'19"W - 37.04 feet to a 3/4" pipe thus ending the common boundary with said "Elkhorn Estates Phase 1, 2 and 3"; thence N83°42'19"W - 100.54 feet to a 3/4" pipe; thence N00°21'45"E - 106.04 feet to a 3/4" pipe; thence N89°38'15"W - 60.00 feet to a 3/4" pipe; thence S00°21'45"W - 90.00 feet to a 3/4" pipe; thence N89°38'15"W - 270.00 feet to a 3/4" pipe; thence N00°21'45"E - 100.00 feet to a 3/4" pipe; thence N30°33'23"E - 69.42 feet to a 3/4" pipe; thence N00°21'45"E - 106.84 feet to a 3/4" pipe monumenting the southwest corner of lot 81, "Elkhorn Estates Phase 6"; thence S89°38'15"E along the south boundary of said "Elkhorn Estates Phase 6" as follows S89°38'15"E - 367.76 feet to a 3/4" pipe; thence S85°26'05"E - 70.93 feet to the point of beginning.

The same containing approximately 2.80 acres, subject to all existing easements and rights-of-way over and across the above described parcel of land.

Dated This 5th day of June, 1998

Bend I Ltd., an Oregon limited partnership
by: Central Oregon Builders V, Inc., General Partner



Attachment to Third Amendment of the Declaration of Covenants, Conditions & Restrictions of Elkhorn Estates

STATE OF OREGON)
) ss.
COUNTY OF Deschutes)

BE IT REMEMBERED, That on this 5th day of June, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named James R. Olson, Vice-President of Central Oregon Builders V, Inc., General Partner of Bend I Ltd., an Oregon limited partnership known to me to 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.

Karen S King

Notary Public for Oregon

My Commission Expires: 12-01-2000



STATE OF OREGON)
COUNTY OF DESCHUTES) ss.

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:

98 JUN -5 AM 11: 36

MARY SUE PENHOLLOW
COUNTY CLERK

BY: *[Signature]* DEPUTY
NO. 98-23710 FEE 10

DESCHUTES COUNTY OFFICIAL RECORDS