

130530 JH
RECORDED BYWESTERN TITLE & ESCROW COMPANY
**COURTH 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 amended by instrument recorded June 5, 1998, in Volume 446, Page 3374, 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 81, "ELKHORN ESTATES PHASE 6", SAID POINT BEING THE INITIAL POINT OF "ELKHORN ESTATES PHASES 9 AND 10" AS WELL AS THE TRUE POINT OF BEGINNING; THENCE S00°21'45"W - 106.84 FEET TO A 3/4" PIPE; THENCE S30°33'23"W - 69.42 FEET TO A 3/4" PIPE; THENCE S00°21'45"W - 100.00 FEET; THENCE N89°38'15"W - 339.62 FEET TO A 3/4" PIPE; THENCE N00°21'45"E - 90.00 FEET TO A 3/4" PIPE; THENCE 15.71 FEET ALONG THE ARC OF A 10.00 FOOT RADIUS CURVE CONCAVE EAST FORMING A CENTRAL ANGLE OF 90°00'00" AND A LONG CHORD BEARING N45°21'45"E - 14.14 FEET TO A 3/4" PIPE; THENCE N89° 38'15"W - 80.00 FEET; THENCE N00°21'45"E - 60.00 FEET; THENCE N89°38'15"W 128.02 FEET TO A 3/4" PIPE; THENCE N23°29'48"W ALONG THE PROLONGATION OF AND ALONG THE WEST BOUNDARY OF LOT 51, "ELKHORN ESTATES PHASE 1,2 AND 3"; - 209.88 FEET TO A 5/8" IRON ROD; THENCE ALONG THE NORTH BOUNDARY OF SAID LOT 51 AS FOLLOWS: N57°49'31"E - 130.26 FEET TO A 5/8" IRON ROD; THENCE N71°13'35"E - 20.45 FEET; THENCE N71°12'15"E - 134.24 FEET TO A 5/8" IRON ROD; THENCE N50°13'06"E - 46.39 FEET TO A 3/4" PIPE MONUMENTING THE NORTHWEST CORNER OF "ELKHORN ESTATES PHASE 7" THUS ENDING THE COMMON BOUNDARY WITH SAID LOT 51; THENCE ALONG THE WEST BOUNDARY OF SAID "ELKHORN ESTATES PHASE 7" AS FOLLOWS: S35°38'14"E - 165.54 FEET TO A 3/4" PIPE; THENCE N54°21'46"E - 15.33 FEET; THENCE S35°38'14"E - 100.00 FEET TO A 3/4" PIPE MONUMENTING A POINT ON THE SOUTHERLY BOUNDARY OF "ELKHORN ESTATES PHASE 6" THUS ENDING THE COMMON BOUNDARY WITH SAID "ELKHORN ESTATES PHASE 7"; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID "ELKHORN ESTATES PHASE 6" AS FOLLOWS: S54°21'46"W - 16.36 FEET TO A 3/4" PIPE; THENCE S35°38'14"E - 25.21 FEET TO A 3/4" PIPE; THENCE S89°38'15"E - 195.98 FEET TO THE POINT OF BEGINNING.

THE SAME CONTAINING APPROXIMATELY 4.38 ACRES, SUBJECT TO ALL EXISTING EASEMENTS AND RIGHTS-OF-WAY OVER AND ACROSS THE ABOVE DESCRIBED PARCEL OF LAND.

Dated this 1st day of December, 1998

Bend I Ltd., an Oregon limited partnership
By: Central Oregon Building V, Inc., General Partner

By 
William M. Grosse, President

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Diego

On 12/29/98 before me, Joan E. Hendrick, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared William M. Grosse
Name(s) of Signer(s)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Joan E. Hendrick
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Fourth Amendment of the Declaration of Covenants, Conditions, & Restrictions of Elkhorn Estates

Document Date: 12/1/98 Number of Pages: 1

Signer(s) Other Than Named Above: none

Capacity(ies) Claimed by Signer(s)

Signer's Name: William M. Grosse

- Individual
- Corporate Officer
Title(s): President
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

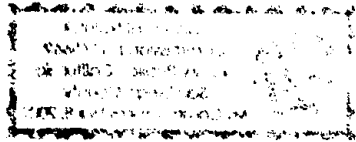
Signer Is Representing:
Bend I Ltd.

Signer's Name: _____

- Individual
- Corporate Officer
Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing:




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 DEC 30 PM 3: 15

MARY SUE PENHOLLOW
COUNTY CLERK

BY:  DEPUTY
NO. 98-59245 FEE 20

DESCHUTES COUNTY OFFICIAL RECORDS