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DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2006-48451



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\$15.00 \$11.00 \$10.00 \$5.00

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AFTER RECORDING, RETURN TO:
Golden Crest Development, Inc.
477 NE Greenwood, Suite A
Bend, OR 97701

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**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR EMPIRE CROSSING,
AND ANNEXATION TO
EMPIRE CROSSING**

(To Annex The Plan for Boyd Acres Village (City file Nos. PZ 03-478 and PZ 03-480))

THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF EMPIRE CROSSING AND ANNEXATION (to annex The Plan for Boyd Acres Village (City file Nos. PZ 03-478 and PZ 03-480)) ("Amendment") is made as of this 14th day of July, 2006, by Golden Crest Development, Inc. ("Declarant").

RECITALS

WHEREAS, Declarant is the Declarant under the Declaration of Covenants, Conditions and Restrictions for Empire Crossing, recorded in the Records of Deschutes County, Oregon, as Document No. 2004 - 63410 (the "Declaration"); and

WHEREAS, Declarant has recorded the "Plan for Empire Crossing" as City File No. PZ 03-396, in the Records of the City of Bend, Deschutes County, Oregon; and

WHEREAS, Pursuant to Section 2.2 of the "Declaration", Declarant wishes to amend above referenced Declaration for the purpose of annexation of the Lots in the Plan for Boyd Acres Village, and subject all Lots in the Plan for Boyd Acres Village to the Amended Declaration provisions contained herein.

RECORDED BY FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON AS AN
ACCOMMODATION ONLY. NO LIABILITY IS
ACCEPTED FOR THE CONDITION OF TITLE
OR FOR THE VALIDITY, SUFFICIENCY, OR
EFFECT OF THIS DOCUMENT.

NOW, THEREFORE, Declarant hereby declares as follows:

1. AMENDMENT TO DECLARATION.

(a) The name of the Declarant was initially referenced as "Golden Crest Development, LLC." The Declarant's name is **amended** to read, "Golden Crest Development, Inc."

(b) Article 9, Section 9.1(a), is **added**, and shall read as follows:

"With the exception of Lots 19 through 25 and 31 through 41, all remaining Lots in the Plan for Empire Crossing (City File No. PZ 03-396) are situated on private alleys. Said alleys are to be owned and maintained by the Empire Crossing Homeowners Association. The sum total cost for the maintenance of all alleys shall be the responsibility of, and shared equally by, all Lots abutting said alleys."

(c) Article 10, Section 10.3, is **amended**, and shall read as follows:

"... All Lots subject to assessment shall pay and equal share of the Annual Assessments, Special Assessments and Emergency Assessments, **except as stated in Article 9, Section 9.1(a), above.** Declarant may elect to delay..."

2. PROPERTY ANNEXED. Declarant hereby declares that all real property within the plan entitled "Boyd Acres Village (City File Nos. PZ 03-478 and PZ 03-480)" shall be annexed to Empire Crossing and the Declaration and any previous Amendments to the Declaration, and that such property is held and shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to the Declaration and any previously recorded Amendments:

3. LAND CLASSIFICATIONS. All of the land within the Additional Property annexed hereby is included in one or another of the following classifications:

(a) **Building Lots**, which shall consist of Lots 1 through 82 as shown on the Plan of Boyd Acres Village (City File Nos. PZ 03-478 and PZ 03-480).

(b) **Private Alleys**, providing access to Lots 4 through 81, as shown on the Plan of Boyd Acres Village (City File Nos. PZ 03-478 and PZ 03-480).

4. MAINTENANCE ALLOCATION. With the exception of Lots 1, 2, 3, and 82, all remaining Lots in the Plan for Boyd Acres Village are situated on private alleys. Said alleys are to be owned and maintained by the Empire Crossing Homeowners Association. The sum total cost for the maintenance of all alleys shall be the responsibility of, and shared equally by, all Lots abutting said alleys.

IN WITNESS WHEREOF, Declarant has executed this Declaration of Annexation as of the day first written above.

GOLDEN CREST DEVELOPMENT, Inc.
an Oregon Corporation

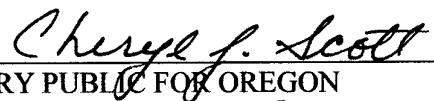


William J. Walton, III, President

STATE OF OREGON)
)ss.
County of Deschutes)

The foregoing instrument was acknowledged before me this 14 day of July, 2006, by William J. Walton, III, the President of GOLDEN CREST DEVELOPMENT, Inc., an Oregon Corporation.





NOTARY PUBLIC FOR OREGON
My commission expires: 8-7-2006