

90-08879

FIRST AMENDMENT TO DECLARATIONS, RESTRICTIONS,
 PROTECTIVE COVENANTS AND CONDITIONS
 FAIRWAY VISTA ESTATES

THIS AMENDMENT to Declarations, Restrictions, Protective Covenants and Conditions for Fairway Vista Estates is made this 29th day of March, 1990, by EAGLE CREST PARTNERS LTD., an Oregon Limited Partnership, hereinafter referred to as "Declarant".

WHEREAS, Declarant executed the Declarations, Restrictions, Protective Covenants and Conditions for Fairway Vista Estates on May 9, 1989, which were recorded in Volume 186, Page 655, Official Records of Deschutes County, Oregon, and

WHEREAS, U. S. Bancorp Mortgage Company, a lender on certain units within Fairway Vista Estates has requested that certain amendments be made to the Declarations to clarify the inclusion of Fairway Vista Estates within the Master Association of Eagle Crest and that the units within Fairway Vista Estates are a part of the Master Association at Eagle Crest and subject to certain assessments thereto,

NOW, THEREFORE, the Declarations, Restrictions, Protective Covenants and Conditions for Fairway Vista Estates are amended pursuant to Section 2, Article XI of said Declarations as follows:

1. An additional recital is added to the Declarations to read as follows:

D. The property described on Exhibit "A" shall be part

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Gray Fancher Holmes Hurley Bryant & Lovlien
 Attorneys At Law

40 N.W. Greenwood P.O. Box 1151 Bend, Oregon 97709-1151 (503) 582-4551 Telecopier (503) 589-5586

Return to Janet

Bend Title Company

of the Eagle Crest Planned Community, the development plan for which is more fully described in the "Master Declaration" (as defined herein). The property is to be considered a "condominium" under the terms of the Master Declaration.

2. Two additional definitions are hereby added to Article 1 as follows:

1.63 "Master Association" means the Eagle Crest Master Association, an Oregon non-profit corporation, formed pursuant to the Master Declaration.

1.64 "Master Declaration" means the Declaration of Covenants, Conditions and Restrictions for the Eagle Crest Planned Community, dated June 24, 1985, and recorded June 24, 1985, in the Office of the County Recorder of Deschutes County, Oregon, as such Master Declaration may be amended from time to time.

3. A new Section 8 is hereby added to Article 2 to read as follows:

8.1 (a) The property within Fairway Vista Estates is annexed to and made a part of the Master Association pursuant to the Master Declaration for Eagle Crest Planned Community. All property within Eagle Crest and every person or entity who is the record owner of a fee or undivided fee interest in any residential unit that is subject to this Declaration shall be deemed to be a member in the Master Association and shall be subject to all terms and conditions of the Master Declaration, including the obligation for payment of assessments.

8.2 (b) The property shall be deemed to be a "condominium" as the same is defined and provided for in the Master Declaration. This shall include the right of the owners within Fairway Vista Estates to vote for directors of the Master Association from Residential Projects in accordance with Section 2.3(d) of the Master Declaration, and entitles each owner within Fairway Vista Estates to one vote, for each unit they own, in the Master Association.

8.2 (c) Each unit owner shall be responsible for payment of assessments imposed by the Master Association in accordance with the Master Declaration. These

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assessments are in addition to the assessments imposed hereunder by the Fairway Vista Association, Inc.

EAGLE CREST PARTNERS LTD.

By Jerol E. Andres

By _____

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 29th day of March, 1990, by Jerol E. Andres on behalf of EAGLE CREST PARTNERS LTD.

Janet R. Hardwick
 JANET R. HARDWICK
 NOTARY PUBLIC - OREGON
 My Commission Expires 3/21/94

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EXHIBIT A

Legal Description

Lots 1 through 32 and the roads and common areas as shown on the Plat of Fairway Vista Estates recorded May 25, 1989 in the official records of the office of the County Recorder, Deschutes County, Oregon.

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:

90 APR -3 PM 12:10

MARY SUE PENHOLLOW
COUNTY CLERK

BY. *D. Rehberg* DEPUTY
NO. 90-05879 FEE 50
DESCHUTES COUNTY OFFICIAL RECORDS