

97-45030

**AMENDMENT TO  
THE  
DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
NEWPORT HILLS**

The Covenants, Conditions and Restrictions of Newport Hills ("C,C & R's") recorded as document No. 94-29597 in the office of the County Recorder of Deschutes County, Oregon, and covering the real property known as Lots 1 through 89, of the Forest Hills Subdivision, Phases I, II, III and IV, County of Deschutes, State of Oregon, are hereby amended by BNH Construction Corp., an Oregon corporation ("BNH"), "Declarant" in such Covenants, Conditions and Restrictions, with the written consent and approval of the Owners of greater than 51% of the Lots subject to such C,C & R's.

Subsection 4.14 of Section 4 is amended in its entirety to provide as follows:

**"4.14 Parking, Recreational Vehicles.**

A minimum of two enclosed garage parking places shall be provided for each Lot. Parking on any street, whether public or private, which adjoins any Lot, shall not be allowed for any house trailer, travel or camping trailer, commercial vehicle (except when actually rendering services), motorhome, boat trailer, boats, trucks, motorcycle or incapacitated motor vehicle. No such vehicle or equipment shall be parked or placed on any Lot for any period over two (2) days (or portions thereof), and in no event for a total of more than four (4) days (or portions thereof) in any calendar month, unless kept in a fully enclosed garage or in a place designed specifically for this purpose and which is screened by a fence which meets the requirements of Section 6; provided that the vehicle or equipment is not higher than the fence permitted in Section 6. Garage doors shall remain closed except when the garage is in use, but in no event shall any vehicle or equipment be repaired except within a garage with garage doors closed or within a fully screened area. Each Owner specifically agrees, for himself and for his guests, tenants and invitees, that the provisions of this Section 4.14 represent a personal, fully enforceable agreement and commitment, enforceable by Declarant, any other Owner or the

HOA, if formed, not to park any vehicle or equipment in violation of this Section 4.14.

In all other respects, such Covenants, Conditions and Restriction are ratified and confirmed.

The undersigned, on behalf of BNH Construction Corp. and the Owners of greater than 51% of the Lots of Newport Hills, certify that the above Amendment was adopted in accordance with the Declaration of Covenants, Conditions and Restrictions for Newport Hills.

BNH Construction Corp


By: 

its: President

STATE OF OREGON )  
 ) ss.  
COUNTY OF DESCHUTES )

On this 4th day of December, 1997, before me, the undersigned Notary Public, personally appeared MELVYN MASON of BNH Construction Corp., President, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument, the entity upon behalf of which he acted executed the instrument.

WITNESS my hand and official seal.

  
Notary Public



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:

97 DEC -4 PM 2:39

MARY SUE PENHOLLOW  
COUNTY CLERK

BY:  DEPUTY

NO. 97-45030 FEE 10-

DESCHUTES COUNTY OFFICIAL RECORDS

After Recording Return To:  
BNH CONSTRUCTION CORP.  
MEL MASON  
4728 ROSITA PLACE  
TARZANA, CA 91356

98-29352

501 - 2884

10/4/85M 19810660 CF

DECLARATION TERMINATING  
DISCRETIONARY CONTROLS

The undersigned, as the Declarant in the Covenants, Conditions and Restrictions for Newport Hills recorded as document number 94-29597 in the office of the County Recorder of Deschutes County, Oregon, and covering the real property known as Lots 1 through Lots 89, of the Forest Hills Subdivision, Phases I, II, III and IV, County of Deschutes, State of Oregon, does hereby waive its rights to henceforth exercise any discretionary controls as Declarant over development in Newport Hills, including discretionary control over architectural, landscaping, lighting, signing or any other discretionary controls granted in such Covenants, Conditions and Restrictions for Newport Hills.

BNH Construction Corp.  
By: [Signature]  
its: PRESIDENT

STATE OF OREGON, }  
County of Deschutes } ss.

FORM No. 22—ACKNOWLEDGMENT,  
Stevens-Nese Low Publishing Co. Inc.  
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BE IT REMEMBERED, That on this 8th day of July, 1998, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named Mel Mason, President of BNH Construction Corp.

known to me to be 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.



[Signature]  
Notary Public for Oregon  
My commission expires April 1, 2002

FIRST AMERICAN TITLE  
INSURANCE COMPANY OF OREGON  
P.O. BOX 323  
BEND, OR 97709

STATE OF OREGON ) ss.  
COUNTY OF DESCHUTES )  
I, MARY SUE PENHOLLOW, COUNTY CLERK AND  
RECORDER OF COVINCENCES, IN AND FOR SAID  
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN  
INSTRUMENT WAS RECORDED THIS DATE:

98 JUL -8 PH 2:40  
MARY SUE PENHOLLOW  
COUNTY CLERK

BY: [Signature] DEPUTY  
NO. 98-29352 REC 10-  
DESCHUTES COUNTY OFFICIAL RECORDS