

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2006-07392



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# DESCHUTES COUNTY CLERK

## CERTIFICATE PAGE



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SCHWABE WILLIAMSON + WYATT  
549 SW. Millview Way #100  
Bend, OR 97702

**SECOND AMENDMENT TO DECLARATION**

**Vernon C. Palmer, Inc.**, an Oregon Corporation (the "Declarant") hereby records a second amendment to the Declaration of Covenants, Conditions and Restrictions for Gardenside recorded on July 28, 2005 at Volume 2005 page 49003, Deschutes County Official Records ("the Declaration"), pertaining to the real property described therein, as follows.

Section 3.4(a) of the Declaration shall be amended to add the following underlined language:

3.4 Easements. Individual deeds to Lots may, but shall not be required to set forth the easements specified in this Article.

(a) Easements on Plat. The Common Area and Lots are subject to the easements and rights of way shown on, or noted on, the plat of Gardenside, except that the side yard easements shall be as provided in Section 3.5, below. These include easements for public pedestrian and bicycle access, sanitary sewer easements, storm drainage, access and public utility easements.

Section 3.5(a) of the Declaration shall be amended to add the following underlined language:

3.5 Private Lot Side Yard Easement Areas. Lots known in this Declaration to have access Easement Areas over sideyards are as follows:

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Lot 44- 3.5 ft. on W side for the benefit of lot 43

Lot 45- 3.5 ft. on W side for the benefit of lot 44

IN WITNESS WHEREOF, the undersigned, as Declarant, certifies that the foregoing amendment has been adopted in accordance with the Declaration amendment provisions in Section 11.9 of the Declaration.

"Declarant"  
VERNON C. PALMER, INC., an Oregon Corporation

By: *Garth Jackson* Date: 2/1/06  
Garth Jackson, President and Chief Operating Officer, Vernon C. Palmer, Inc.

STATE OF OREGON )  
 )  
COUNTY OF DESCHUTES )

The above named Garth Jackson, as President and Chief Operating Officer of Vernon C. Palmer, Inc., personally appeared before me and acknowledged the execution of the foregoing instrument to be his free and voluntary act.

*Sheryl Abell*  
Notary Public for State of Oregon  
My Commission expires: 02/08/08

