

VOL: 2001 PAGE: 28572
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



*2001-28572 * Vol-Page

Printed: 06/15/2001 15:30:22

DO NOT REMOVE THIS CERTIFICATE

(This certificate constitutes a part of the original instrument in accordance with ORS 205.180(2). Removal of this certificate may invalidate this certificate and affect the admissibility of the original instrument into evidence in any legal proceeding.)

I hereby certify that the attached instrument was received and duly recorded in Deschutes County records:

DATE AND TIME: Jun. 15, 2001; 3:25 p.m.

RECEIPT NO: 37010

DOCUMENT TYPE: Amendments to Covenants,
Conditions & Restrictions

FEE PAID: \$46.00

NUMBER OF PAGES: 3

A handwritten signature in cursive script that reads "Mary Sue Penhollow".

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

STATE OF OREGON

Cross-Reference to Declaration: Book 353

COUNTY OF DESCHUTES

Page 570

Return to: Broken Top Community Association
61999 Broken Top Drive
Bend, Oregon 97702

**SUPPLEMENTAL DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR BROKEN TOP COMMUNITY**

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THIS SUPPLEMENTAL DECLARATION is made this 13th day of June, 2001, by Broken Top Limited Partnership, an Oregon limited partnership (hereinafter referred to as "Declarant").

WITNESSETH:

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WHEREAS, Declarant filed of record that certain Declaration of Covenants, Conditions, and Restrictions for Broken Top Community dated October 27, 1992, in Book 280, Pages 1492 through 1545, et seq. in the Deed Records of Deschutes County, Oregon ("Original Declaration"); and

WHEREAS, the Original Declaration was amended and restated by the instrument filed on September 21, 1994, in Book 353, Pages 570 through 672 of such Deed Records (the Original Declaration, as so amended and restated, is hereinafter referred to as the "Declaration");

WHEREAS, pursuant to the provisions of Article IX, Section 9.1 of the Declaration, Declarant reserved the right to subject to the Declaration certain additional property described in Exhibit "A" to the declaration (the "Annexable Property");

WHEREAS, Declarant is the owner of the real property described in Exhibit "A" attached hereto and incorporated by this reference (the "Additional Property"), which is a portion of the Annexable Property; and

WHEREAS, Declarant wishes to subject the Additional Property to the Declaration and assign portions of it to a specific Neighborhood, as described in Article III of the Declaration;

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby subjects the real property described on Exhibit "A" hereof to the lien and operation of the Declaration and the provisions of this Supplemental Declaration, which shall apply to such property in addition to the provisions of the

Declaration. Such Property shall be sold, transferred, used, conveyed, occupied, mortgaged, and otherwise encumbered pursuant to the provision of this Supplemental Declaration and the Declaration, both of which shall run with the title to such property and shall be binding upon all persons having any right, title, or any interest in such property, their respective heirs, legal representatives, successors, successors-in-title, and assign.

Portions of such property shall be assigned to the Neighborhood identified on Exhibit "A."

IN WITNESS WHEREOF, the undersigned Declarant has executed this Supplemental Declaration, as of the date first written above.

BROKEN TOP LIMITED PARTNERSHIP, an Oregon limited partnership

By: BROKEN TOP, INC., an Oregon corporation, its general partner

By: [Signature]

Its: _____

STATE OF OREGON

COUNTY OF DESCHUTES

The forgoing instrument was acknowledged before me this 13th day of June, 2001, by T.B. Dame, _____ of Broken Top, Inc., the General Partner of Broken Top Limited Partnership.

[Signature]
Notary Public for Oregon

My Commission Expires: 10-27-04

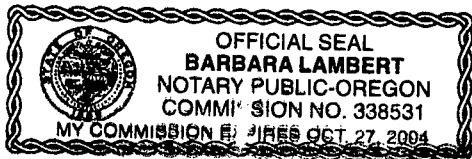


EXHIBIT "A"
Annexed Property

Broken Top, Phase V-C, a subdivision in the City of Bend, Deschutes County, Oregon, as recorded in Plat Cabinet No. E-634 -E636 of Deschutes County, Oregon, are assigned to Broken Top Community Association, Inc.

Lots 466-471, 479-486 and Tract 'A', Broken Top, Phase V-C, a subdivision in the City of Bend, Deschutes County, Oregon, as recorded in Plat Cabinet No. E-634 - E-636 are assigned to the Fall Creek Neighborhood.