

STATE OF OREGON

Cross-Reference to Declaration: Book 280

County of Deschutes

Page 1492

Return to:
 Jean Walden 94-30884
 BTCA
 61999 Broken Top Dr
 Bend, OR 97702

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

THIS SUPPLEMENTAL DECLARATION is made this 26 day of July, 1994, by Broken Top Limited Partnership, an Oregon limited partnership (hereinafter referred to as "Declarant").

WITNESSETH:

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 ("Declaration"); and

WHEREAS, pursuant to the provision of Article IX, Section 9.1, of the Declaration, Declarant reserved the right to subject to the Declaration certain additional property described in Exhibit "B" 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 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 provision of the Declaration. Such property shall be sold, transferred, used, conveyed, occupied, mortgaged and otherwise encumbered pursuant to the provisions 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 assigns.

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 above written.

BROKEN TOP LIMITED PARTNERSHIP,
an Oregon limited partnership

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

By: Sharon L. Criswell

Its: Vice President

Attest: Jere L. Alden

Its: Consultant

STATE OF OREGON

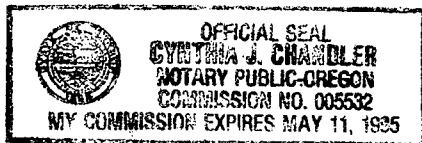
County of Deschutes

The foregoing instrument was acknowledged before me this 28th day of July, 1994, by Sharon L. Criswell, of Broken Top, Inc., the General Partner of Broken Top Limited Partnership, an Oregon limited partnership, on behalf of the limited partnership.

Cynthia J. Chandler

Notary Public for Oregon

My Commission Expires: 5/11/95



Annexed Property

A. Lots 1 through 28 and Common Area Tracts A and B of The Courtyards at Broken Top, a subdivision in Deschutes County, Oregon, as shown in the Plat recorded in the Plat Records in Cabinet D at Page 30 of Deschutes County, Oregon are assigned to the Courtyards Neighborhood.

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:

94 AUG -8 AM 8:12

MARY SUE PENHOLLOW
COUNTY CLERK

BY: M. Baiko DEPUTY

NO. 94-30884 FEE 1500

DESCHUTES COUNTY OFFICIAL RECORDS