

STATE OF OREGON Cross-Reference to Supplemental Declaration Book 353  
 COUNTY OF DESCHUTES page 1170

Return to: JER. L. ALDEN 94-38723  
 BTCA  
 61999 Broken Top Dr.  
 Bend or 97708

**AMENDMENT TO THE  
 SUPPLEMENTAL DECLARATION OF PROTECTIVE  
 COVENANTS, CONDITIONS, AND RESTRICTIONS  
 FOR BROKEN TOP COMMUNITY**

THIS AMENDMENT to the Supplemental Declaration of Protective Covenants, Conditions, and Restrictions for Broken Top is made this 30 day of ~~September~~ September, 1994, by Broken Top Limited Partnership, an Oregon limited partnership ("Declarant").

WITNESSETH:

WHEREAS, on 9/29, 1994, Declarant recorded a Supplemental Declaration of Covenants, Conditions, and Restrictions for Broken Top Community, in Deed Book 353, Page 1170, in the Deed Records of Deschutes County, Oregon ("Supplemental Declaration") for the purpose of annexing certain additional property described therein to the Broken Top Community; and

WHEREAS, the Supplemental Declaration erroneously referenced the original Declaration of Covenants, Conditions and Restrictions for Broken top Community rather than the Amended and Restated Declaration of Covenants, Conditions in Restrictions for Broken Top community filed on September 21, 1994, in Book 353 Pages 570 through 672, in the Deed Records of Deschutes County, Oregon (the "Amended and Restated Declaration"); and

WHEREAS, it was the Declarant's intent to submit the additional property described in the Supplemental Declaration to the terms of the Amended and Restated Declaration; and

WHEREAS, the Declarant, as the sole owner of all of the property which is the subject of the Supplemental Declaration, desires to amend the Supplemental Declaration for the purpose of referencing the Amended and Restated Declaration; and

NOW, THEREFORE, the Supplemental Declaration is hereby amended by striking it in its entirety and simultaneously substituting the attached Amended Supplemental Declaration of covenants, Conditions, and Restrictions for Broken Top Community.

IN WITNESS WHEREOF, the undersigned Declarant has executed this Amendment to the 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

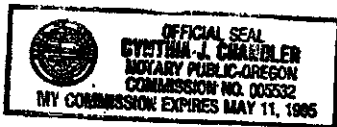
By: William T. Criswell

Its: President

STATE OF OREGON

COUNTY OF DESCHUTES

The foregoing instrument was acknowledged before me this 30 day of September, 1994, by William T. 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

EXHIBIT "A"

Additional Property

All of the right of way for private roads designated as Tam McArthur Loop and Green Lakes Loop as shown on the Plat for Broken Top filed in Cabinet D at pages 67 & 76 of the Plat Records of Deschutes County, Oregon are subjected to the Declaration. SUBJECT, HOWEVER, to the following:

- 1. All easements shown on such Plats or created by the Declaration to which the Exhibit is attached.
- 2. Other matters of record.

Tracts R and S designated as Common Areas on the Plats for Broken Top filed in Cabinet D at page 76 of the Plat Records of Deschutes County, Oregon are subjected to the Declaration.

The following property is annexed to the Custom Home Neighborhood and subjected to the Declaration.

A. Lots 324 through and including 344 of Broken Top, a subdivision in Deschutes County, Oregon, as shown in the Plat recorded in the Plat Records at Cabinet D page 66 in the Plat Records of Deschutes County, Oregon.

B. Lots 355 through and including 371 of Broken Top, a subdivision in Deschutes County, Oregon, as shown in the Plat recorded in the Plat Records at Cabinet D page 76 in the Plat Records of Deschutes County, Oregon.

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:

94 SEP 30 PM 1:43

MARY SUE PENHOLLOW  
COUNTY CLERK

BY: *MJ Banks* DEPUTY  
NO. 94-38723 FEE 1500  
DESCHUTES COUNTY OFFICIAL RECORDS