

AMENDMENT TO HUNNELL HILLS DECLARATION OF
CONDITIONS AND RESTRICTIONS

RECITALS:

1. Hunnell Hills is an unrecorded subdivision consisting of 28 lots located on the following described real property: East Half of the Northeast Quarter of Section 8 and the West Half of the Northwest Quarter of Section 9, Township 17 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon.

2. The Hunnell Hills Declaration of Conditions and Restrictions was recorded June 18, 1969, in Volume 165, Page 183, Deed Records, Deschutes County, Oregon.

3. An Addendum to Declaration of Conditions and Restrictions of Hunnell Hills was recorded on June 18, 1969, in Volume 165, Page 189, Deed Records, Deschutes County, Oregon.

4. The Hunnell Hills Declaration of Conditions and Restrictions were extended for successive periods of five years each by the following recorded documents:

Document dated September 15, 1974, recorded November 12, 1974, in Volume 213, Page 111, Deed Records, Deschutes County, Oregon

Document recorded September 17, 1979, in Volume 307, Page 621, Deed Records, Deschutes County, Oregon

Document recorded March 27, 1985, in Volume 91, Page 976, Official Records, Deschutes County, Oregon

5. The Hunnell Hills Declaration of Conditions and Restrictions was amended by Addendum dated September 14, 1979, and recorded in Volume 307, Page 620, Deed Records, Deschutes County, Oregon.

W I T N E S S E T H :

The record owners of all of the described real property located in the unrecorded subdivision of Hunnell Hills, as more particularly described above, hereby amend the Hunnell Hills Declaration of Conditions and Restrictions as evidenced by their consent attached hereto and by this reference incorporated herein as follows:

1. The record owners of all of the described real property in Hunnell Hills hereby ratify all prior extensions and amendments of the Hunnell Hills Declaration of Conditions and

Restrictions.

2. All the record owners hereby acknowledge that there are 28 lots located in the unrecorded subdivision known as Hunnell Hills and that the owner of each lot shall have one vote in the event of any future amendments to the Declaration of Conditions and Restrictions.

3. Paragraph 16 of the Hunnell Hills Declaration of Conditions and Restrictions as amended by the Addendum to Declaration of Conditions and Restrictions for Hunnell Hills recorded in Volume 165, Page 189, is hereby amended to read as follows:

"16. The covenants and conditions of this Declaration shall run with and bind the land and shall inure to the benefit of and be enforceable by the owner of any lot located within the property known as Hunnell Hills and subject to this Declaration, their respective legal representatives, heirs, successors and assigns until December 31, 1998, after which time said covenant shall be automatically extended for successive periods of ten years. Any of the conditions and restrictions of this Declaration may be amended by an instrument signed by the owners of not less than two-thirds of the lots located within the unrecorded subdivision known as Hunnell Hills. All such amendments must be recorded in the appropriate official records of Deschutes County, Oregon, to be effective."

4. Paragraph 2 of the Hunnell Hills Declaration of Conditions and Restrictions is hereby amended to read as follows:

"2. No more than one residence shall be constructed on each lot and no lot may be divided into a parcel size of less than five gross acres which shall include any road right-of-way."

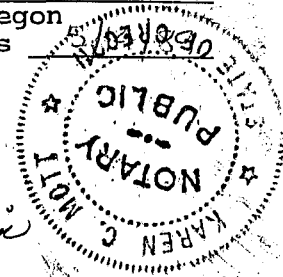
IN WITNESS WHEREOF, the undersigned has hereunto caused these presents to be executed this 22 day of November, 1988.

Witnessed by (X) Donna M. Austin Ann S. Aines
Donna M. Austin Secretary 11/22/88
Hunnell Hills Homeowners Assoc.

STATE OF OREGON, County of Deschutes, ss:
Personally appeared ANN S. AINES who being sworn
stated that SHE is
a lot owner within the recorded subdivision known as Hunnell
Hills and has caused this instrument to be recorded based upon

the consent of all owners of record with the Hunnell Hills unrecorded subdivison as attached hereto.

Karen C. Matt
Notary Public for Oregon
My Commission Expires 5/14/09



LOT NUMBERS

- | | |
|--|--------------------------------|
| 1. <u>Kiki Anne Overstrew</u> | 14. <u>John C. Austin</u> |
| 2. <u>Robert R. Ruckelshaus</u> | <u>Marion Ruckelshaus</u> |
| 3. <u>Alexandra Roderick</u> | 15. <u>Sonya Rheinholdt</u> |
| 4. <u>Philip D. Ains, Ann Ains</u> | 16. <u>Sally T. Toch</u> |
| 4a. <u>Richard B. Paul</u> | <u>Frank W. McKim</u> |
| 5. <u>F. David & Marie A. Thompson</u> | 17. <u>Nancy C. McKim</u> |
| 6. <u>consent form attached</u> | <u>Frank W. McKim</u> |
| 7. <u>William J. Kelley</u> | 18. <u>Nancy C. McKim</u> |
| 8. <u>H. G. Sampson</u> | <u>Frank W. McKim</u> |
| 9. <u>Richard H. Elzy</u> | 19. <u>Nancy C. McKim</u> |
| 10. <u>Richard H. Elzy</u> | <u>William C. Elzy</u> |
| 11. <u>Richard H. Elzy</u> | 20. <u>Elyabeth McLomax</u> |
| 12. <u>Consent form attached</u> | 21. <u>Donald H. [unclear]</u> |
| 13. <u>Edward G. Strake</u> | 22. <u>J. G. Piland</u> |
| | 23. <u>Rayton J. Vincent</u> |
| | 24. <u>Flora E. Burke</u> |
| | 25. <u>Kenneth Hanson</u> |
| | 26. <u>[unclear]</u> |
| | 27. <u>B. Neil Ross</u> |

CONSENT

We the undersigned being the owner of Lot 6, Hunnell Hills, an unrecorded subdivision in Deschutes County, Oregon, hereby consent to the amendment of the Hunnell Hills Declaration of Conditions and Restrictions specifically ratifying all prior extensions and amendments of the Declaration of Conditions and Restrictions amending said Declaration as follows:

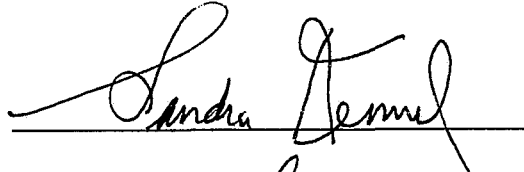
1. All the record owners hereby acknowledge that there are 28 lots located in the unrecorded subdivision known as Hunnell Hills and that the owner of each lot shall have one vote in the event of any future amendments to the Declaration of Conditions and Restrictions.


2. Paragraph 16 of the Hunnell Hills Declaration of Conditions and Restrictions as amended by the Addendum to Declaration of Conditions and Restrictions for Hunnell Hills recorded in Volume 165, Page 189, is hereby amended to read as follows:

"16. The covenants and conditions of this Declaration shall run with and bind the land and shall inure to the benefit of and be enforceable by the owner of any lot located within the property known as Hunnell Hills and subject to this Declaration, their respective legal representatives, heirs, successors and assigns until December 31, 1998, after which time said covenant shall be automatically extended for successive periods of ten years. Any of the conditions and restrictions of this Declaration may be amended by an instrument signed by the owners of not less than two-thirds of the lots located within the unrecorded subdivision known as Hunnell Hills. All such amendments must be recorded in the appropriate official records of Deschutes County, Oregon, to be effective."

3. Paragraph 2 of the Hunnell Hills Declaration of Conditions and Restrictions is hereby amended to read as follows:

"2. No more than one residence shall be constructed on each lot and no lot may be divided into a parcel size of less than five gross acres which shall include any road right-of-way."





CONSENT

We the undersigned being the owner of Lot 12, Hunnell Hills, an unrecorded subdivision in Deschutes County, Oregon, hereby consent to the amendment of the Hunnell Hills Declaration of Conditions and Restrictions specifically ratifying all prior extensions and amendments of the Declaration of Conditions and Restrictions amending said Declaration as follows:

1. All the record owners hereby acknowledge that there are 28 lots located in the unrecorded subdivision known as Hunnell Hills and that the owner of each lot shall have one vote in the event of any future amendments to the Declaration of Conditions and Restrictions.

2. Paragraph 16 of the Hunnell Hills Declaration of Conditions and Restrictions as amended by the Addendum to Declaration of Conditions and Restrictions for Hunnell Hills recorded in Volume 165, Page 189, is hereby amended to read as follows:

"16. The covenants and conditions of this Declaration shall run with and bind the land and shall inure to the benefit of and be enforceable by the owner of any lot located within the property known as Hunnell Hills and subject to this Declaration, their respective legal representatives, heirs, successors and assigns until December 31, 1998, after which time said covenant shall be automatically extended for successive periods of ten years. Any of the conditions and restrictions of this Declaration may be amended by an instrument signed by the owners of not less than two-thirds of the lots located within the unrecorded subdivision known as Hunnell Hills. All such amendments must be recorded in the appropriate official records of Deschutes County, Oregon, to be effective."

3. Paragraph 2 of the Hunnell Hills Declaration of Conditions and Restrictions is hereby amended to read as follows:

"2. No more than one residence shall be constructed on each lot and no lot may be divided into a parcel size of less than five gross acres which shall include any road right-of-way."

Elaine D. Yander-Roth

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:

89 JAN -6 AM 9:00

MARY SUE PENHOLLOW
COUNTY CLERK

✓
Kend Hansen
63825 Quail Haven Dr
Bend 01

BY. B. Buck DEPUTY
NO. 89-00317 FEE 30-
DESCHUTES COUNTY OFFICIAL RECORDS

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