

**VOL: 1999 PAGE: 43685**  
**RECORDED DOCUMENT**

STATE OF OREGON  
COUNTY OF DESCHUTES



\*1999-43685 \* Vol-Page

Printed: 09/09/1999 08:45:22

**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: Sep. 9, 1999; 8:45 a.m.

RECEIPT NO: 11008

DOCUMENT TYPE: Covenants,  
Conditions & Restrictions

FEE PAID: \$15.00

NUMBER OF PAGES: 2

A handwritten signature in black ink, appearing to read "Mary Sue Penhollow".

MARY SUE PENHOLLOW  
DESCHUTES COUNTY CLERK

Return to:  
Charles R. Cusack  
20434 Steamboat  
Bend, Or. 97702

99-43685-1

**FOURTH AMENDED  
MOUNTAIN HIGH DECLARATIONS OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS**

1. This FOURTH AMENDED MOUNTAIN HIGH DECLARATION OF COVENANTS AND RESTRICTIONS ("Declaration") is made by the Mountain High Homeowners Association, a non-profit Oregon corporation.
2. The Developer, J. L. Ward Construction Co., an Oregon Corporation, was the owner of the real property described in the official plat of Mountain High Subdivision recorded in Volume 19, page 39 of Townplats, Deschutes County, Oregon, hereinafter referred to as "plat of Mountain High", and created thereon the Community of Mountain High as a Residential Planned Community, and
3. The Community of Mountain High contains a variety of housing types including single-family detached housing, townhouses, condominiums, and multi-family structures, and
4. The Declaration provides for the preservation and enhancement of the Property values, amenities, and opportunities within Mountain High, contributing to the personal and general health, safety, and welfare of the residents and for the maintenance of the land and improvements thereon, and subjects the real property described in the plat of Mountain High, together with such additions and modifications, to the Covenants, Conditions, and Restrictions ("CC&R's"), and
5. The Declaration was amended by a document entitled "Amended Mountain High Declarations of Covenants, Conditions, and Restrictions" dated January 19, 1999, recorded at Volume 1999, Page 2591 (hereinafter called "First Amended CC&R's"), and again by a document entitled "Amendment to the Mountain High Homeowners Association Covenants, Conditions, and Restrictions as Recorded Vol. 1999, page 15024 dated March 29, 1999, (hereinafter called "Second Amended CC&R's"), and again by a document entitled "Third Amended Mountain High Declaration of Covenants, Conditions, and Restrictions as Recorded Vol. 1999, page 35484, dated July 21, 1999. The purpose of the Amendments was to create a master Homeowners Association for various villages located in the Mountain High Subdivision.
6. The Developer has previously recorded CC&R's for Aspen Village at the following Volumes and Pages of Deschutes County Records:  
  
Aspen Village: Volume 0143, Page 2723, Deschutes County Records.
7. Aspen Village now desires to join the Mountain High Homeowners Association by execution and recordation of this Fourth Amended Mountain High Declaration

of Covenants, Conditions, and Restrictions. Aspen Village does join and become subject to the CC&R's and the First, Second, and Third Amended CC&R's referred to above.

- 8. The real property described in the plat of Aspen Village and such additions and modifications thereto as may hereafter be made is and are and shall be held, transferred, sold, conveyed and occupied subject to the Covenants, Conditions, and Restrictions hereinafter set forth.
- 9. The Developer and all property owners in Aspen Village hereby delegate and assign to the Mountain High Homeowners Association the power of owning, maintaining, and administering the community properties and facilities; administering and enforcing the Covenants, Conditions, and Restrictions (and amendments thereto); collecting and disbursing the assessments and charges hereinafter created, and promoting the recreation, health, safety, and welfare of the residents.

**IN WITNESS THEREOF** the parties hereto have signed this Fourth Amendment to the Declaration on behalf of the members of Aspen Village Homeowners Association whose members have adopted these Fourth Amended CC&R's this 30th day of August, 1999.

Acknowledged by the Board of Directors of the Mountain High Homeowners Association this 16th day of September, 1999.

Charles L. Assad

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William D. Aushan

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London K. Baker

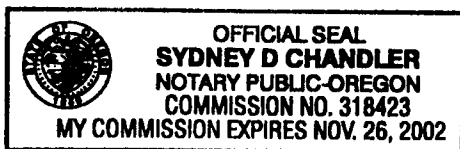
Lois Rhodes

Charles P. Hansen

Jessie Allison

State of Oregon, Count of Deschutes: ss

The foregoing instrument was acknowledged before me this 9 day of Sept, 1999 on behalf of the Mountain High Homeowners Association



Sydney Chandler  
 Notary Public for Oregon