

9782

AMENDMENT TO

Declaration of Covenants, Conditions and Restrictions for Pinebrook (LOTS), Phases I, II and III.

Pinebrook Associates hereby amends its Declaration of Covenants, Conditions and Restrictions for Pinebrook (LOTS) Phases I, II and III as follows:

Section 8. formerly:

Lot Division. No lot shall be divided without the written consent of the Declarant or its heirs and assigns.

Section 8. amended:

Lot Division. No lot shall be divided.

Section 18.2 formerly:

For the use, construction development and maintenance of paths and trails, The Declarant, and The Association, their respective successors and assigns, reserve an easement and right of way over and upon each lot in Pinebrook 5 feet of even width along those boundaries of each lot which are not adjacent to a public road.

Section 18.2 amended:

Delete the words "The Declarant, and"; otherwise the section is unchanged.

Section 19. formerly:

Section 19. Assessment. Each lot or parcel of land in Pinebrook excepting common areas shall be subject to its prorate share of the necessary costs and expenses incurred in providing labor, material or insurance for the operation or maintenance of roads, paths, bicycle paths, access easements, common recreational facilities and other common areas. Each lot, tract or parcel of land benefitted by these expenses shall be subject to a lien in favor of The Declarant of The Association for the collection of these expenses and this lien shall be of the same kind and may be enforced as provided in ORS Chapter 91 in the Oregon Unit Ownership Law. See the Declaration of Covenants, Conditions, and Restrictions (COMMON AREA) for additional restrictions relating to the common area. See Section 23.

Section 19. amended:

Delete the words "The Declarant or;" otherwise the section is unchanged.

Section 28. formerly:

Section 28. Applicability to Declarant. Covenants 7,8,10,11,12,13,14,15,16,17 and 19 shall not be applicable to the Declarant during the construction and sales period. The Declarant shall have the right to assign one or all of their rights under this covenant to another builder or developer, provided that the Declarant develops the tract in accordance with the plan as platted.

Section 28. amended:

Section 28. Applicability of Declarant. The provisions of this Declaration shall apply to the Declarant so long as it has lots unsold.

PINEBROOK ASSOCIATES, a Partnership

Margaret G. Symons
MARGARET G. SYMONS, Partner

Arthur H. Ferenz
ARTHUR H. FERENZ, Partner

Arleen G. Ferenz
ARLEEN G. FERENZ, Partner

James H. Douglas
JAMES H. DOUGLAS, Partner

STATE OF OREGON)
)
County of Deschutes) ss. October 10, 1977.

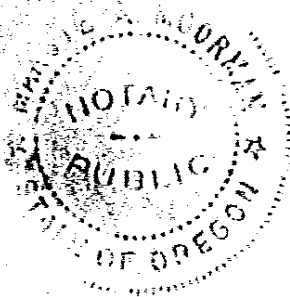
Personally appeared the above named ARTHUR H. FERENZ, ARLEEN G. FERENZ and MARGARET G. SYMONS and acknowledged the foregoing instrument to be their voluntary act. Before me:



Gari E. Oady
Notary Public for Oregon
My Commission expires: 3-16-81

STATE OF OREGON)
)
County of Marion) ss. 29 September, 1977.

Personally appeared the above named JAMES H. DOUGLAS and acknowledged the foregoing instrument to be their voluntary act. Before me:



Margie A. Moorman
Notary Public for Oregon
My Commission expires: 4-13-81

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STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 11 day of Oct AD. 1977 at 12:50 o'clock P M., and recorded in Book 260 on Page 55 Record of Deeds

ROSEMARY PATTERSON
County Clerk
By Dorothy Johnson Deputy

Return to:
Marge Symons
1933 N.W. Juniper
Bend, OR 97701