DESCHUTES COUNTY OFFICIAL RECORDS NANCY BLANKENSHIP, COUNTY CLERK

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Bryant Lovlien & Jarvis, PC P.O. Box 1151 Bend, Oregon 97709 Cnt=1 Stn=23 PAM 04/14/2006 11:27:44 AM

SUPPLEMENTAL DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS OF QUAIL CROSSING SUBDIVISION, PHASE II

By instrument dated July 30, 2003 and recorded July 30, 2003, in Volume 2003 at Page 51220, Official Records of Deschutes County, Oregon, Quail Crossing, Inc., Declarant, established the Declaration of Protective Covenants, Conditions and Restrictions of Quail Crossing Subdivision.

The Declaration of Protective Covenants, Conditions and Restrictions of Quail Crossing Subdivision contemplated that Declarant would, at any time during the term of the Declaration, add all or a portion of any land now or hereafter owned by Declarant to the Property which was covered by said Declaration, including such other or different covenants, conditions and restrictions as Declarant shall, in his discretion, specify.

Declarant now wishes to subject the area which will be known as Quail Crossing Subdivision, Phase II to the Declaration of Protective Covenants, Conditions and Restrictions of Quail Crossing Subdivision, to annex such Property to Quail Crossing Subdivision and to make provisions for the conditions upon which such Property may be used.

NOW, THEREFORE, Declarant does hereby declare and provide as follows:

SECTION 1. DEFINITIONS

- **1.1 PROPERTY:** The "Property" shall include Quail Crossing Subdivision, Phase II, as described in Exhibit "A" attached hereto.
- 1.2 DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS OF QUAIL CROSSING SUBDIVISION: Declaration of Protective Covenants, Conditions and Restrictions of Quail Crossing Subdivision shall mean that certain document entitled "Declaration of Protective Covenants, Conditions and Restrictions of Quail Crossing Subdivision dated July 30, 2003, recorded July 30, 2003, in Volume 2003, Page 51220, Official Records of Deschutes County, Oregon and any subsequent amendments or supplements thereafter recorded in Deschutes County's official records.

SECTION 2. SUBJECTION OF QUAIL CROSSING SUBDIVISION, PHASE II, TO THE DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS OF QUAIL CROSSING SUBDIVISION.

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- 2.1 ANNEXATION: Declarant hereby declares that Quail Crossing Subdivision, Phase II, shall be part of that certain residential community known as Quail Crossing Subdivision as referred to in the Declaration of Protective Covenants, Conditions and Restrictions of Quail Crossing Subdivision.
- **2.2 DECLARATION OF RESTRICTIONS:** The covenants and conditions set forth in Articles I through X, inclusive, of the Declaration of Protective Covenants, Conditions and Restrictions of Quail Crossing Subdivision shall be applicable.

SECTION 3. MISCELLANEOUS

- 3.1 AMENDMENT AND REPEAL: Any provision of this Declaration at any time may be amended or repealed. The provision may be added by any of the methods provided in the Declaration of Protective Covenants, Conditions and Restrictions of Quail Crossing Subdivision.
- 3.2 DURATION: The covenants and provisions contained herein shall continue to remain in full force and effect in accordance with Section Article X, Section 10.3 of the Declaration of Protective Covenants, Conditions and Restrictions of Quail Crossing Subdivision.
- 3.3 ATTORNEY FEES: In the event any party shall bring any suit or action to enforce this Declaration, or to collect any money due hereunder or to foreclose a lien, the party not prevailing shall pay to the prevailing party all costs and expenses incurred by it in connection with such suit or action, such amount as the court may determine to be reasonable as attorneys' fees at trial and upon any appeal or petition for review thereof or other proceedings, including any bankruptcy or arbitration proceeding.

IN WITNESS WHEREOF, Grantor has executed this Declaration this 14th day of April, 2006.

QUAIL CROSSING, INC.

BY: PATRICK G. BAUER

ITS: President

STATE OF OREGON, County of Deschutes) ss.

The foregoing instrument was acknowledged before me this 14th day of April, 2006, by

Patrick G. Bauer, President of Quail Crossing, Inc.

OFFICIAL SEAL
KRISTIE L HORNBECK
NOTARY PUBLIC-OREGON
COMMISSION NO. 356921
Y COMMISSION EXPIRES JUN. 15, 2006

Notary Public for Oregon

My Commission Expires: Well S, debt

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EXHIBIT A

PLAT RECORDING NO.: 2006-25364

QUAIL CROSSING SUBDIVISION PHASE 2

BEING A SUBDIVISION OF A PORTION OF PARCEL A OF PARTITION PLAT NO. 1992-7 LOCATED WITHIN A PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 17 SOUTH, RANGE 12 EAST, WM., CITY OF BEND, DESCHUTES COUNTY, OREGON.

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