

5551

VOL 186 PAGE 299

WARRANTY DEED

WILLIAM C. JAMES and NORMA K. JAMES also known as NORMA N. JAMES,
husband and wife

hereinafter called grantor, conveys to
WAY WEST PROPERTIES, a limited partnership

hereinafter called grantee

all the following described real property situated in Deschutes
County, State of Oregon, to-wit:

Tract 3 containing 15.5 acres
All of Tract 4 excepting that portion previously conveyed,
containing 37.4 acres
Tract 8 containing 40 acres
Tract 11 excepting that portion previously conveyed,
containing 28 acres
Tract 12 containing 20.02 acres
Tract 15 containing 31.2 acres
all in WAY WEST PROPERTIES - - - -

and covenants that grantor is the owner of the above described
property free of all encumbrances except subject to:

Easements, rights of ways and restrictions of record; and

Restriction that the dry well method of disposal of sewage
is prohibited

and will warrant and defend the same against all persons who may
lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$34,460.00.

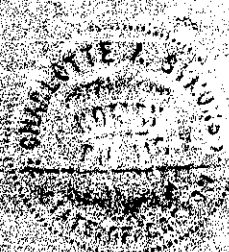
Dated this 21st day of June, 1972.




STATE OF OREGON, County of Deschutes ss.

Personally appeared the above named William C. James and Norma K. James
also known as Norma N. James, husband and wife and acknowledged the
foregoing instrument to be their voluntary act.


County Clerk for Oregon
My Commission Expires: 6-6-76



CHARLES H. WATSON

DESIGNED BY

CHARLES H. WATSON

DESIGNED BY

5551

STATE OF OREGON

County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 10 day of July A.D. 1972 at 3:44 o'clock P.M. and recorded in Book 156 on Page 299 Records of Deschutes

ROSEMARY PATTERSON

County Clerk

By R. Patterson Deputy

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2003-54493



\$51.00

0010130720300544030050054

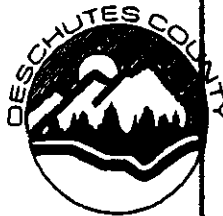
08/11/2003 12:39:47 PM

D-COTV Ctl=2 Stn=4 BECKEY

\$20.00 \$5.00 \$11.00 \$10.00 \$5.00

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



This page must be included
if document is re-recorded.
Do Not remove from original document.

4
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173901-13
FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON
P.O. BOX 323
BEND, OR 97709

RECORDED BY FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON AS AN
ACCOMMODATION ONLY. NO LIABILITY IS
ACCEPTED FOR THE CONDITION OF TITLE
OR FOR THE VALIDITY, SUFFICIENCY, OR
EFFECT OF THIS DOCUMENT.

**SUPPLEMENTAL DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
QUAIL PINE ESTATES PHASE VIII**

4
By instrument dated January 11, 2000, and recorded February 23, 2000, in Volume 2000 at Page 6864, Official Records of Deschutes County, Oregon, RARE PROPERTIES, L.L.C., established the Declaration of Covenants, Conditions and Restrictions for Quail Pine Estates The Declaration has been subsequently amended in Deschutes County's official records.

The Declaration of Covenants, Conditions and Restrictions for Quail Pine Estates contemplated that developer 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 known as Quail Pine Estates, Phase VIII to modified Declaration of Covenants, Conditions and Restrictions for Quail Pine Estates, to annex such Property to Quail Pine Estates 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 INCORPORATION BY REFERENCE: Each of the terms defined in Section 1 of the Declaration for Quail Pine Estates shall have the meanings set forth in such Section 1.

1.2 The "Property" shall include Quail Pine Estates, Phase VIII, as described in Exhibit "A" attached hereto.

1.3 Declaration of Covenants, Conditions and Restrictions for Quail Pine Estates shall mean that certain document entitled "Declaration of Covenants, Conditions and Restrictions for Quail Pine Estates" dated January 11, 2000, recorded February 23, 2000, in Volume 2000, Page 6864, Official Records of Deschutes County, Oregon and any subsequent amendments or supplements thereafter recorded in Deschutes County's official records.

1 - SUPPLEMENTAL DECLARATION

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1.4 "Quail Pine Estates, Phase VIII", shall mean the area described on Exhibit "A" attached hereto.

SECTION 2. SUBJECTION OF QUAIL PINE ESTATES, PHASE VIII, TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR QUAIL PINE ESTATES.

2.1 ANNEXATION: Declarant hereby declares that Quail Pine Estates, Phase VIII, shall be part of that certain residential community known as Quail Pine Estates as referred to in the Declaration of Covenants, Conditions and Restrictions for Quail Pine Estates.

2.2 DECLARATION OF RESTRICTIONS: The covenants and conditions set forth in Sections 1 through 8, inclusive, of the Declaration of Covenants, Conditions and Restrictions for Quail Pine Estates 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 Covenants, Conditions and Restrictions for Quail Pine Estates.

3.2 DURATION: The covenants and provisions contained herein shall continue to remain in full force and effect in accordance with Section 6.1 of the Declaration of Covenants, Conditions and Restrictions for Quail Pine Estates.

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2 - SUPPLEMENTAL DECLARATION

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BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915

591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 www.bryantlovlienjarvis.com
24 SW Fifth Street Madras, Oregon 97741 (541) 475-2757 fax (541) 475-2962

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, RARE PROPERTIES, L.L.C. have executed this Declaration this 8TH day of AUGUST, 2003.

RARE PROPERTIES, L.L.C.

David P. Reynolds, Manager
BY: DAVID P. REYNOLDS, Manager

TD&L, L.L.C., MANAGER OF
RARE PROPERTIES, L.L.C.

Jay Audia, Manager
BY: JAY AUDIA, Manager

STATE OF OREGON, County of Deschutes) ss.

The foregoing instrument was acknowledged before me this 8TH day of AUGUST, 2003, by DAVID P. REYNOLDS, as Manager of Rare Properties, L.L.C., Declarant.

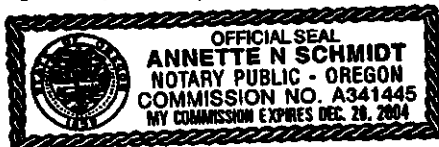


[Signature]

Notary Public for Oregon
My Commission Expires: JANUARY 28, 2005

STATE OF OREGON, County of Deschutes) ss.

The foregoing instrument was acknowledged before me this 8TH day of AUGUST, 2003, by JAY AUDIA, as Manager of TD&L, L.L.C. which is a Manager of Rare Properties, L.L.C., Declarant.



Annette N. Schmidt

Notary Public for Oregon
My Commission Expires: December 26, 2004

3 - SUPPLEMENTAL DECLARATION

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BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1918

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EXHIBIT A

QUAIL PINE ESTATES, PHASE VIII

PLAT NO.: PZ 00-293 DATED MAY 28, 2003

A REPLAT OF A PORTION OF TRACT 15, OF
WAYWEST PROPERTIES AND A PORTION OF
PARTITION PLAT 1990-14, LOCATED IN THE
WEST 1/2 SE 1/4 SECTION 7, TOWNSHIP 18
SOUTH, RANGE 12 EAST, WILLAMETTE
MERIDIAN, CITY OF BEND, DESCHUTES
COUNTY, OREGON.

4 - SUPPLEMENTAL DECLARATION

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