

DESCHUTES COUNTY OFFICIAL RECORDS
MARY SUE PENHOLLOW, COUNTY CLERK

2002-55972



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DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



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Planned Community Subdivision Declaration

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 V**

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 V 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 mean Quail Pine Estates, Phase V, 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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RETURN TO:

FIRST AMERICAN

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 PO Box 650 Madras, Oregon 97741 (541) 475-2757 fax (541) 475-2962

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

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

2.1 ANNEXATION: Declarant hereby declares that Quail Pine Estates, Phase V, 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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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 9th day of October, 2002.

RARE PROPERTIES, L.L.C.

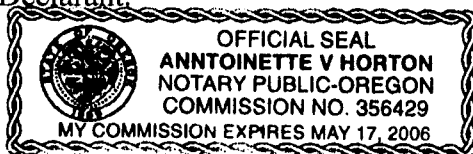
David P. Reynolds, Manager
BY: DAVID P. REYNOLDS, Manager

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.

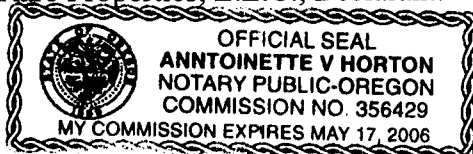
The foregoing instrument was acknowledged before me this 9th day of October, 2002, by DAVID P. REYNOLDS, as Manager of Rare Properties, L.L.C.,
Declarant.



Anntoinette V Horton
Notary Public for Oregon
My Commission Expires: May 17, 2006

STATE OF OREGON, County of Deschutes) ss.

The foregoing instrument was acknowledged before me this 9th day of October, 2002, by JAY AUDIA, as Manager of TD&L, L.L.C. which is a Manager of Rare Properties, L.L.C., Declarant.



Anntoinette V Horton
Notary Public for Oregon
My Commission Expires: May 17, 2006

3 - SUPPLEMENTAL DECLARATION

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EXHIBIT A

QUAIL PINE ESTATES, PHASE V

PLAT NO.: PZ 00-293 DATED MAY 7, 2002

A REPLAT OF A PORTION OF TRACT 15, OF
WAYWEST PROPERTIES, LOCATED IN THE
SW 1/4 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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