

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2003-54493



\$51.00

00191397200300544930050054

08/11/2003 12:39:47 PM

D-COTV Cnt=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.

173901-13

440  
31

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

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

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

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.

1.4 "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.

//  
//  
//  
//  
//  
//  
//  
//

**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 8<sup>th</sup> day of AUGUST, 2003.

**RARE PROPERTIES, L.L.C.**

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

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

Jay Audia  
BY: JAY AUDIA, Manager

STATE OF OREGON, County of Deschutes ) ss.

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

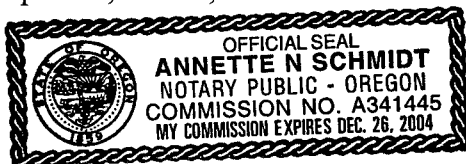


[Signature]

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 8<sup>th</sup> 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

...P:\DATA\SRS\CLIENTS\N-S\Rareprop.018 CC&Rs Viii.wpd

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

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.