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Robert S. Lovlien  
P.O. Box 1151  
Bend, OR 97709

**SUPPLEMENTAL DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS SUBMITTING  
REED MARKET BUSINESS PARK PHASES III AND IV TO THE  
DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
FOR THE REED MARKET BUSINESS PARK**

By instrument dated February 24, 1999, and recorded February 24, 1999, in Book 1999 at Page 9279, Official Records of Deschutes County, Oregon, VICTOR R. RUSSELL and VICKI L. RUSSELL as tenants by the entirety, ("Declarant") established the Declaration of Covenants, Conditions and Restrictions for the Reed Market Business Park (the "Declaration").

The Declaration for the Reed Market Business Park 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.

Declarant now wishes to subject the area known as the Reed Market Business Park, Phases III and IV to the Declarations of Covenants, Conditions and Restrictions for Reed Market Business Park, to annex such Property to the Reed Market Business Park 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 Article 1 of the Declaration for Reed Market Business Park shall have the meanings set forth in such Article 1.

1 - Supplemental Declaration (RSL:RUSSELL.104)

1.2 The "Property" shall mean Reed Market Business Park, Phases III and IV, City of Bend, Deschutes County, Oregon, according to the official plat thereof.

1.3 Declaration of Covenants, Conditions and Restrictions for Reed Market Business Park shall mean that certain document entitled "Declaration of Covenants, Conditions and Restrictions for Reed Market Business Park" dated February 24, 1999 recorded February 24, 1999, in Book 1999, Page 9279, Official Records of Deschutes County, Oregon.

1.4 "Reed Market Business Park, Phases III and IV", shall mean the area described in Paragraph 1.2 above.

**SECTION 2. SUBJECTION OF REED MARKET BUSINESS PARK, PHASES III and IV, TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR REED MARKET BUSINESS PARK**

2.1 **ANNEXATION:** Declarant hereby declares that Reed Market Business Park, Phases III and IV shall be part of that certain industrial community known as Reed Market Business Park, as referred to in the Declaration of Covenants, Conditions and Restrictions for Reed Market Business Park.

2.2 **DECLARATION OF RESTRICTIONS:** The covenants and conditions set forth in Articles I through XIII, inclusive, of the Declaration of Covenants, Conditions and Restrictions for Reed Market Business Park shall be applicable within the Property except as may be restricted in this instrument. The Property shall be held, conveyed, hypothecated, encumbered, used, occupied and improved only in accordance with the provisions made in this instrument and the Declaration for Reed Market Business Park.

**SECTION 3. MISCELLANEOUS**

3.1 **AMENDMENT AND REPEAL:** Any provision of this Supplemental Declaration at any time may be amended or repealed. The provision may be added by any of the methods provided in the Declaration for Reed Market Business Park.

2 - Supplemental Declaration (RSL:RUSSELL.104)

**3.2 DURATION:** The covenants and provisions contained herein shall continue to remain in full force and effect in accordance with the Declaration for Reed Market Business Park.

**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, the undersigned has executed this Supplemental Declaration this 23 day of February, 2004.

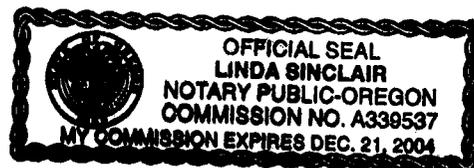
Victor R. Russell  
VICTOR R. RUSSELL

Vicki L. Russell  
VICKI L. RUSSELL

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 23 day of February, 2004 by Victor R. Russell and Vicki L. Russell.

Linda Sinclair  
Notary Public for Oregon  
My Commission Expires: 12/21/2004



3 - Supplemental Declaration (RSL:RUSSELL.104)