

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2005-07740

\$41.00



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\$15.00 \$11.00 \$10.00 \$5.00

AFTER RECORDING, RETURN TO:  
Mike Loomis  
D.R. Horton, Inc.-Portland  
186 SW Macadam Avenue, Suite 102  
Portland, OR 97239

**DECLARATION OF ANNEXATION TO  
RIVER CANYON ESTATES  
(River Canyon Estates No. 3)**

**THIS DECLARATION OF ANNEXATION TO RIVER CANYON ESTATES is made as of this 8<sup>th</sup> day of February, 2005, by RIVER CANYON ESTATES, LLC ("Declarant").**

**RECITALS**

**WHEREAS**, Declarant is the declarant under the Declaration of Covenants, Conditions and Restrictions for River Canyon Estates recorded December 23, 2002, as Document #: 2002-72315 in the Records of Deschutes County, Oregon (the "Declaration"). Declarant also caused to be recorded those certain Plat of River Canyon Estates on December 23, 2002, recorded as Document #: 2002-72311 and the Plat of River Canyon Estates No. 2 on July 20, 2004, recorded in the Records of Deschutes County, Oregon as Document #: 2004-42797 Declarant also caused that certain First Amendment to Declaration of Protective Covenants, Conditions and Restrictions for River Canyon Estates to be recorded on April 4, 2003, as Document #: 2003-22312 in the Records of Deschutes County, Oregon. Declarant further caused that certain Second Amendment to Declaration of Protective Covenants for River Canyon Estates to be recorded June 26, 2003, as Document Number 2003-43136 in the Records of Deschutes County, Oregon. The Declarant further caused that certain Third Amendment to the Declaration of Protective Covenants River Canyon Estates to be recorded on September 15, 2003, as Document Number 2003-63718 in the Records of Deschutes County, Oregon. Declarant also caused that certain Fourth Amendment to Declaration of Protective Covenants for River Canyon Estates to be recorded August 4, 2004, as Document #: 2004-46491 in the Records of Deschutes County, Oregon. Declarant further caused that certain Declaration of Annexation to River Canyon Estates (River Canyon Estates No. 2) to be recorded July 23, 2004, as Document Number 2004-43499 in the Records of Deschutes County, Oregon. Declarant also caused that certain First Amendment to Declaration of Annexation to River Canyon Estates (River Canyon Estates No. 2) to be recorded September 15, 2004, as Document #: 2004-55480 in the Records of Deschutes County, Oregon. Declarant also caused that certain Amended and Restated Declaration of Annexation to River Canyon Estates (River Canyon Estates No. 2) to be recorded December 6, 2004, as Document #: 2004-72671 in the Records of Deschutes County, Oregon.

**WHEREAS**, pursuant to Article 2 of the Declaration, Declarant wishes to annex River Canyon Estates No. 3 to the Declaration and define the Associations obligations to the Additional Property.

**NOW, THEREFORE,** Declarant hereby declares as follows:

1. **PROPERTY ANNEXED.** Declarant hereby declares that all the property described below (the "Additional Property") shall be annexed to the Declaration as Additional Property and that such property is held and shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to the Declaration to the same extent as if originally included in the Declaration:

All that certain, real property located in Deschutes County, Oregon, in that certain Plat entitled "River Canyon Estates No. 3" filed in the Plat Records of Deschutes County, Oregon, recorded the 3<sup>rd</sup> day of February as Document #:  
Volume 2005, pg 7737.

2. **LAND CLASSIFICATIONS.** All of the land within the Additional Property is included in one or another of the following classifications:

- (a) "Courtyard Lots", which shall consist of Lots 210-221 of the Plat of the Additional Property;
- (b) "Intermediate Single Family Lots", which shall consist of Lots 193-209 and 222-239 of the Plat of the Additional Property;
- (c) "Common Area", which shall consist of Tracts 'CC', 'DD', 'EE', 'FF' and 'GG' of the Plat of Additional Property;
- (d) "Public Property", which shall consist of the streets as shown on the Plat of the Additional Property.

3. **ASSOCIATIONS OBLIGATIONS UPON ADDITIONAL PROPERTY.** Except as otherwise provided, the Association hereby reserves an easement and shall pay for any maintenance, upkeep and replacement including utilities for any Declarant installed improvements within the boundaries of Common Area Tracts 'CC', 'DD', and 'GG' as shown on the Plat of Additional Property. Additionally, Common Area Tracts 'EE' and 'FF' are private asphalt drives for which the cost of maintenance and reserves shall be assessed to the benefiting lots pursuant to the terms described in Section 1.2 of the original Declaration. For the purpose of this Annexation for River Canyon Estates No. 3, Lots 210-221 shall be subject to this additional private asphalt drive assessment.

4. **EFFECT OF ANNEXATION.** Except as expressly amended hereby and by the amendments noted in the above Recitals, the Declaration shall remain unchanged and in full force and effect.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, Declarant has executed this Declaration of Annexation as of the day first above written.

DECLARANT:

RIVER CANYON ESTATES, LLC

By

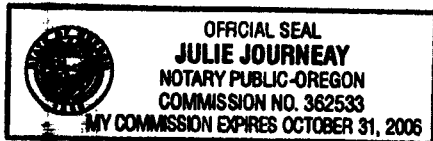
  
Jeffery D. Smith, President

Oakridge Estates Development Corporation

STATE OF Oregon )

County of Multnomah ) ss.

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of November, 2004, by Jeffery D. Smith, as President, Oakridge Estates Development Corporation, on its behalf.



  
Notary Public for Oregon

My commission expires October 31, 2006