

93-37006

315 - 2924

DECLARATION OF RESTRICTIONS, PROTECTIVE
COVENANTS AND CONDITIONS FOR
RIVER'S EDGE PHASE II

By instrument recorded March 24, 1989, in Volume 180, Page 2586, Official Records of Deschutes County, Oregon, RIVER'S EDGE INVESTMENTS, a partnership consisting of Clyde Purcell, L. A. Swarens, Mary Lou Purcell and Wayne Purcell, established the Declaration of Covenants, Conditions and Restrictions for River's Edge.

The Declaration of Covenants, Conditions and Restrictions for River's Edge 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 River's Edge Phase II to the Declaration of Covenants, Conditions and Restrictions for River's Edge to annex such property to River's Edge 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 River's Edge shall have the meanings set forth in such Article 1.

1.2 The "property" shall mean River's Edge Phase II, as described in Exhibit "A" attached hereto.

1.3 Declaration for River's Edge shall mean that certain document entitled "Declaration of Covenants, Conditions and Restrictions for River's Edge" recorded March 24, 1989, in Volume 180, Page 2586, Official Records of Deschutes County, Oregon.

1.4 "River's Edge Phase II", shall mean the area described on Exhibit "A" attached hereto.

SECTION 2. SUBJECTION OF RIVER'S EDGE PHASE II TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
RIVER'S EDGE

2.1 ANNEXATION: Declarant hereby declares that River's

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Edge, Phase II, shall be part of that certain residential community known as River's Edge as referred to the Declaration of Covenants, Conditions and Restrictions for River's Edge.

2.2 DECLARATION OF RESTRICTIONS: The covenants and conditions set forth in Articles II through XII, inclusive, of the Declaration of Covenants, Conditions and Restrictions for River's Edge 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 of Covenants, Conditions and Restrictions for River's Edge.

SECTION 3. DATE OF COMMENCEMENT OF ANNUAL ASSET

3.1 Article IX, Section 10 of the Declaration for River's Edge is hereby modified with respect to River's Edge Phase II to provide that the date any unit becomes subject to assessment under the terms of said Declaration shall be the date on which the unit owner becomes record title owner of the Lot or Unit.

3.2 Article IX, Section 11 a is amended to provide that the Declarant shall be required to pay only 50 percent of the annual assessment for any unoccupied units that it owns, the date of commencement to be the date the unit is substantially complete and available for occupancy. Declarant shall not be responsible for the payment of any assessments for any undeveloped lots that are either vacant or which there is no unit ready for occupancy located thereon.

SECTION 4. PARCEL ASSESSMENTS

4.1 A separate parcel assessment shall be applied to (1) any lots within River's Edge Phase II that are undeveloped, but sold by Declarant, (2) any lots upon which are built a single family detached house and (3) any lot upon which is located a single family attached house. Each of these three distinct parcel types shall be subject to a separate parcel assessment as provided for in Article I, Section 18 of the Declaration.

SECTION 5. MISCELLANEOUS

5.1 AMENDMENT AND REPEAL: Any provisions 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 River's Edge.

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5.2 DURATION: These covenants and provisions contained herein shall continue to remain in full force and effect in accordance with Article XII of the Declaration for River's Edge.

IN WITNESS WHEREOF, RIVER'S EDGE INVESTMENTS has executed this Declaration this 18th day of October, 1993.

RIVER'S EDGE INVESTMENTS

By *Clyde Purcell*
CLYDE PURCELL

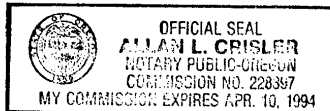
By *Wayne Purcell*
WAYNE PURCELL

By *L. A. Swarens*
L. A. SWARENS

By *Mary Lou Purcell*
MARY LOU PURCELL

STATE OF OREGON, County of Deschutes, ss:

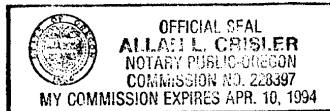
The foregoing instrument was acknowledged before me this 18th day of October, 1993, by CLYDE PURCELL, one of the partners of RIVER'S EDGE INVESTMENTS.



Allan L. Crisler
Notary Public for Oregon
My Commission Expires 4/10/94

STATE OF OREGON, County of Deschutes, ss:

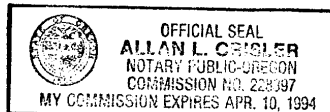
The foregoing instrument was acknowledged before me this 18th day of October, 1993, by L. A. SWARENS, one of the partners of RIVER'S EDGE INVESTMENTS.



Allan L. Crisler
Notary Public for Oregon
My Commission Expires 4/10/94

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 18th day of October, 1993, by WAYNE PURCELL, one of the partners of RIVER'S EDGE INVESTMENTS.



Allan L. Crisler
Notary Public for Oregon
My Commission Expires 4/10/94

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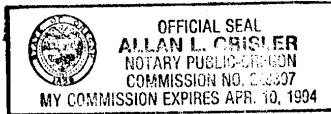
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STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this
18th day of October, 1993, by MARY LOU PURCELL, one of the
partners of RIVER'S EDGE INVESTMENTS.



Allan L. Chisler
Notary Public for Oregon
My Commission Expires 4/10/94

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Holmes Hurley Bryant Lyden ■ Lynch
ATTORNEYS AT LAW

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EXHIBIT "A"

All of the real property located in River's Edge Village, Phase II, according to the official subdivision plat on file in Deschutes County, Oregon

STATE OF OREGON)
COUNTY OF DESCHUTES) SS.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND
RECORDER OF CONVEYANCES, IN AND FOR SAID
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WAS RECORDED THIS DAY:

93 OCT 19 AM 11:06

MARY SUE PENHOLLOW
COUNTY CLERK




BY  DEPUTY
NO. **93-37006** FEE 
DESCHUTES COUNTY OFFICIAL RECORDS

EXHIBIT "A"

Holmes Hurley Bryant Lowden  Lynch
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