

**SUPPLEMENTAL DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS SUMMITTING  
RIVER'S EDGE VILLAGE PHASE VI TO THE  
DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
OF FAIRWAY HEIGHTS**

By instrument dated September 14, 1997, and recorded September 17, 1997, in Book 462 at Page 866, Official Records of Deschutes County, Oregon, THE RIVERHOUSE PARTNERSHIP, an Oregon partnership, established the Declaration of Covenants, Conditions and Restrictions for Fairway Heights (the "Declaration").

The Declaration for Fairway Heights 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 Village Phase VI to the Declarations of Covenant, Conditions and Restrictions for Fairway Heights, to annex such Property to Fairway Heights 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 Fairway Heights shall have the meanings set forth in such Article 1.

**1.2** The "Property" shall mean River's Edge Village Phase VI, City of Bend, Deschutes County, Oregon, according to the official plat thereof.

1 - Supplemental Declaration (RSL:RIVERHOUSE.024)

*Bd*

Bryant Lowden Jarvis

1.3 Declaration of Covenants, Conditions and Restrictions for Fairway Heights shall mean that certain document entitled "Declaration of Covenants, Conditions and Restrictions for Fairway Heights" dated September 14, 1997, recorded September 17, 1997, in Book 462, Page 866, Official Records of Deschutes County, Oregon.

1.4 "River's Edge Village Phase VI", shall mean the area described in Paragraph 1.2 above.

**SECTION 2. SUBJECTION OF RIVER'S EDGE VILLAGE PHASE VI, TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FAIRWAY HEIGHTS**

2.1 **ANNEXATION:** Declarant hereby declares that River's Edge Village Phase VI shall be part of that certain residential community known as Fairway Heights, as referred to in the Declaration of Covenants, Conditions and Restrictions for Fairway Heights.

2.2 **DECLARATION OF RESTRICTIONS:** The covenants and conditions set forth in Articles I through XII, inclusive, of the Declaration of Covenants, Conditions and Restrictions for Fairway Heights 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 Fairway Heights.

**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 Fairway Heights.

3.2 **DURATION:** The covenants and provisions contained herein shall continue to remain in full force and effect in accordance

2 - Supplemental Declaration (RSL:RIVERHOUSE.024)

507 - 0520

with Article X of the Declaration for Fairway Heights.

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.

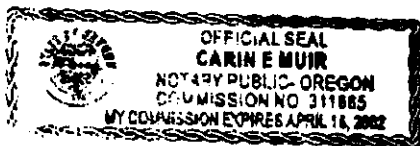
IN WITNESS WHEREOF, THE RIVERHOUSE PARTNERSHIP has executed this Supplemental Declaration this 4 day of August, 1998.

RIVER'S EDGE INVESTMENTS, L.L.C.,  
Successor in Interest to The  
Riverhouse Partnership

By: Wayne Purcell  
Its: \_\_\_\_\_

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 4 day of August, 1998 by Wayne Purcell, who stated that he is the member of River's Edge Investments, L.L.C. and is authorized to execute the foregoing instrument on behalf of the limited liability company.



[Signature]  
Notary Public for Oregon  
My Commission Expires: 4-18-02

3 - Supplemental Declaration (RSL:RIVERHOUSE.024)

507 - 0521

STATE OF OREGON )  
COUNTY OF DESCHUTES ) SS.

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

98 AUG 11 PM 3:35

MARY SUE PENNOLLO  
COUNTY CLERK

BY T. Lee DEPUTY

NO. 99-35373 FEE 25

DESCHUTES COUNTY OFFICIAL RECORDS