

VOL: 1999 PAGE: 39097
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



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Printed: 08/10/1999 15:05:28

DO NOT REMOVE THIS CERTIFICATE

(This certificate constitutes a part of the original instrument in accordance with ORS 205.180(2). Removal of this certificate may invalidate this certificate and affect the admissibility of the original instrument into evidence in any legal proceeding.)

**I hereby certify that the attached instrument was received
and duly recorded in Deschutes County records:**

DATE AND TIME: Aug. 10, 1999; 3:05 p.m.

RECEIPT NO: 9764

DOCUMENT TYPE: ByLaws,
 Declarations

FEE PAID: \$20.00

NUMBER OF PAGES: 3

A handwritten signature in cursive script, reading "Mary Sue Penhollow".

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

99-39097-1

AFTER RECORDING, RETURN TO:
Ms. Lesley Edwards
Resort Resources, Inc.
P.O. Box 1466
Bend, OR 97709

**DECLARATION ANNEXING PHASE 9
OF EAGLE RIDGE HOMESITES
TO
THE RIDGE AT EAGLE CREST**

THIS DECLARATION is made this 10th day of August, 1999, by EAGLE CREST, INC., an Oregon corporation, successor to Eagle Ridge Partners Ltd., ("Declarant").

RECITALS

A. Declarant is the Declarant under that certain Declaration of Protective Covenants, Conditions, Restrictions and Easements for The Ridge at Eagle Crest, dated June 5, 1996 and recorded June 5, 1996 in the records of Deschutes County, Oregon, as Document No. 96-20423 (the "Master Declaration").

B. The Master Declaration provides that additional properties may be annexed to The Ridge at Eagle Crest pursuant to the provisions of Section 2.2 of the Master Declaration. Declarant wishes to annex the real property described in the plat of Ridge at Eagle Crest 21, (the "Additional Property") to the Master Declaration upon the terms and conditions set forth in this Declaration and to designate the Additional Property as Phase 9 of the Eagle Ridge Homesite Project.

NOW, THEREFORE, Declarant does hereby declare and provide as follows:

1. **DEFINITIONS.** As used in this Declaration, the terms set forth below shall have the following meanings:

1.1 **Additional Property.** Additional Property means all the real property within the plat of Ridge at Eagle Crest 21.

1.2 **Master Declaration.** Master Declaration means the Declaration of Protective Covenants, Conditions, Restrictions and Easements for The Ridge at Eagle Crest, dated June 5, 1996 and recorded June 5, 1996 in the records of Deschutes County, Oregon, as Document No. 96-20423.

1.3 **Incorporation by Reference.** Except as otherwise specifically provided in this Declaration, each of the terms defined in Article 1 of the Master Declaration shall have the meanings set forth in such Article.

2. **ANNEXATION.** The Additional Property is hereby annexed to The Ridge at Eagle Crest and made subject to the Master Declaration on the terms and conditions set forth in this Declaration.

3. **PROJECT.** The Additional Property shall be Phase 9 of the Project known as Eagle Ridge Homesites.

4. **LAND CLASSIFICATION.** The Additional Property is included in one or another of the following classifications:

4.1 **Residential Lots.** All platted numbered lots within the Additional Property shall be Residential Lots as defined in Section 1.34 of the Master Declaration.

4.2 **Common Areas.** Murrelet Drive, Turnstone Road and Phoebe Court as shown on the plat of Ridge at Eagle Crest 21 shall be Common Areas as defined in Section 1.8 of the Master Declaration.

4.3 **Other Classifications.** There are no Common Easement Areas, Limited Common Areas, Project Common Areas or Public Areas in the Additional Property.

5. **MASTER DECLARATION.** The Additional Property shall be subject to all of the terms and provisions of the Master Declaration.

6. **AMENDMENT.** This Declaration may be amended by Declarant at any time prior to the closing of the sale of the first Lot in the Additional Property. Thereafter, this Declaration may only be amended by the vote or written consent of Owners owning not less than seventy-five percent (75%) of the Lots within Eagle Ridge Homesites, together with the written consent of the Class B member of the Association, or if a Project Association has been established, the written consent of the Class B member of the Project Association for Eagle Ridge Homesites, if such Class B membership has not been terminated. Any such Amendment shall become effective only upon recordation in the Deed Records of Deschutes County, Oregon, of a certificate of the President or Secretary of the Association, or of the Project Association if a Project Association has been established, setting forth in full the amendments so approved and certifying that the Amendment has been approved in the manner required by this Declaration. In no event shall such an Amendment create, limit or diminish special Declarant rights without Declarant's written consent.

7. **BINDING EFFECT.** The Additional Property, including all Lots and Common Areas therein, shall be held, conveyed, hypothecated, encumbered, used, occupied, and improved only in accordance with the provisions of the Master Declaration, as modified by this instrument, which easements, covenants, restrictions, and charges shall run with the Additional Property and shall be binding upon all parties having or acquiring any right, title or interest in the Additional Property, or any part thereof, and shall inure to the benefit of each Owner thereof.

99-39091-3

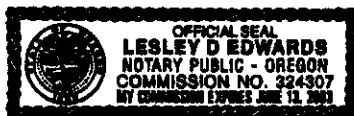
IN WITNESS WHEREOF, Declarant has executed this Declaration as of the day and year first set forth above.

EAGLE CREST, INC.,
an Oregon corporation

By Lauri Miller
its Asst. Secretary

STATE OF OREGON)
)ss.
County of Deschutes)

The foregoing instrument was acknowledged before me this 10th day of August, 1999, by Lauri Miller, Assistant Secretary of Eagle Crest, Inc., an Oregon corporation.



Lesley D. Edwards
Notary Public for Oregon
My commission expires: 6/13/2003