



AFTER RECORDING, RETURN TO:

Summer Creek Homeowners Association, LLC
3660 SW 29th Street
Redmond, OR 97756

**FIRST AMENDMENT TO
AMENDED AND RESTATED
DECLARATION OF PLANNED COMMUNITY
DEVELOPMENT FOR SUMMER CREEK**

CODES, COVENANTS AND RESTRICTIONS

A "55 AND OVER" COMMUNITY

**THIS FIRST AMENDMENT TO THE AMENDED AND RESTATED DECLARATION
OF PLANNED COMMUNITY DEVELOPMENT FOR SUMMER CREEK CODES,
COVENANTS AND RESTRICTIONS (A "55 and Over" Community), is made this 13 day of
AUGUST 2007 by Summer Creek Homeowners Association, LLC (the "Association").**

RECITALS


- A. The Amended and Restated Declaration of Planned Community Development for Summer Creek Codes, Covenants and Restrictions (A "55 and Over" Community) was recorded June 18, 2002, in the records of Deschutes County, Oregon as Document 2002-33020 (the "Declaration").
- B. The Owners desire to modify the Association Restrictions on the Use of Living Units in Article 6.1 of the Declaration.
- C. In accordance with Article 13.1, this Declaration, or any provision thereof, may be amended or repealed by the vote or written consent of Owners holding not less than seven-five percent (75%) of the Class A votes, together with the written consent of the Class B member, the Owners wish to amend the declaration.

AMENDMENTS

- 1. Article 6.1 of the Declaration shall be modified to read as follows:
 - 6.1 **Occupancy.** No Owner shall occupy, use, or permit his Lot or Living Unit, or any part thereof, to be used for any purpose other than a private resident for the Owner, the Owners' family or guests, including home occupations as defined in applicable use ordinance except that each Owner shall be permitted to rent the Unit for a period of no shorter duration than **SIX MONTHS** when the owner is not in occupancy.

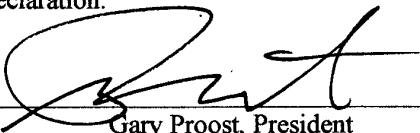
- (a) **Maximum number of rental units.** The total number of Living Units that may be rented at any one time in Summer Creek is five (5) units. If this limit has been reached, any Owner wishing to rent their Unit must apply to the Board of Directors to be placed on a waiting list. The Board of Directors will notify the owner with the earliest date of availability of a rental Unit. The Owner so notified will then have thirty days to make their Unit available for rent. If the unit is not made available for rent within thirty days, the Board of Directors will then notify the next owner on the waiting list.

SUMMER CREEK HOMEOWNERS ASSOCIATION, LLC

By: 
 Gary Proost, President

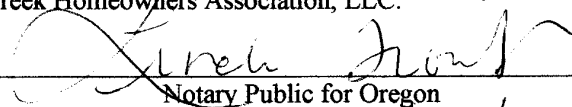
CERTIFICATION

The undersigned President of Summer Creek Homeowners Association, LLC hereby certifies that the First Amendment to Amended and Restated Declaration of Planned Community Development for Summer Creek Codes, Covenants and Restrictions (A "55 and Over" Community) has been approved and adopted in accordance with Section 13.1 of the Declaration.

By: 
 Gary Proost, President

STATE OF OREGON)
) ss.
 County of Deschutes)

The foregoing was acknowledged before me this 13th day of August, 2007, by Gary Proost as President of the Summer Creek Homeowners Association, LLC.


 Notary Public for Oregon

My Commission Expires: 1/30/2010

