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DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2007-51643



\$36.00

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09/24/2007 04:02:34 PM

D-CCR Cnt=1 Stn=2 CE
\$10.00 \$11.00 \$10.00 \$5.00

388

When recorded mail to:
D.R. Horton, Inc. - Portland
Attn: Michael Loomis
4386 SW Macadam Ave. Ste. 102
Portland, OR 97239

FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SUMMIT CREST

Recitals

2

THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SUMMIT CREST (this "First Amendment") is made and entered into effect this 20 day of September, 2007, by D. R. Horton, Inc.-Portland a Delaware corporation (the "Declarant") and by "Summit Crest Homeowners Association" (the "Association").

WHEREAS, the Declarant caused that certain Declaration of Covenants, Conditions and Restrictions for Summit Crest to be recorded on the 23rd day of February, 2007 as Document No. 2007-11054 in the records of Deschutes County, Oregon.

WHEREAS, pursuant to Section 11.6 of the Declaration, Declarant desires to amend the Declaration as provided herein. Declarant may unilaterally amend the Declaration pursuant to Section 11.6 as this amendment is prior to the Turnover Meeting. Capitalized terms not defined herein shall have the meaning given in the Declaration, except as otherwise indicated.

The Declaration is hereby amended as follows:

1. Section 4.13 is hereby amended and restated as follows:

4.13. Fences, Hedges, Retaining Walls. No fences, boundary hedges, or retaining walls shall be installed without prior written approval of the ARC. Any fencing or retaining wall installed on Owner's Lots either by Owner, or by Declarant, will be Owner's maintenance responsibility. All fences that are Owner's responsibility are to be maintained in a condition acceptable to the Board and ARC. All side yard fencing shall maintain a five (5) foot setback from the front of the house. Further, no fencing will be allowed in the front yard. All fence materials, designs, and colors are subject to prior approval of the ARC. No chain link fencing will be visible from the street. All fences shall be cedar and stained with Pittsburgh Artifact # 6138 unless otherwise approved by the ARC.

2. Except as expressly amended hereby the Declaration remains in full force and effect.

RECORDED BY FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON AS AN
ACCOMMODATION ONLY NO LIABILITY IS
ACCEPTED FOR THE CONDITION OF TITLE
OR FOR THE VALIDITY SUFFICIENCY, OR
EFFECT OF THIS DOCUMENT.

