

41 ↓



\$41.00

00339172200500076650030036

02/08/2005 11:12:10 AM

D-CCR Cnt=1 Stn=23 PAM
\$15.00 \$11.00 \$10.00 \$5.00

AFTER RECORDING, RETURN TO:

Sun Meadow Owners Association
c/o Crystal Lake Property Management
PO Box 7384
Bend OR 97708-7384

**DECLARATION OF ANNEXATION TO
SUN MEADOW NO. 3**

THIS DECLARATION OF ANNEXATION TO SUN MEADOW is made as of this 8 day of February, 2005 by ELK HORN DEVELOPMENT LLC; an Oregon limited liability company ("Declarant").

Declarant is the declarant under the Declaration of Protective Covenants, Conditions, Restrictions and Easements of Sun Meadow recorded February 27, 2004 in the Records of Deschutes County, Oregon, as Document No. 2004-10601 (the "Declaration").

Declarant is the owner of the property platted as Sun Meadow. Pursuant to Section 2.2 of the Declaration, Declarant wishes to annex such property to Sun Meadow as Additional Property and subject the same to the Declaration.

NOW, THEREFORE, Declarant hereby declares as follows:

1. **PROPERTY ANNEXED.** Declarant hereby declares that all of the property described below shall be annexed to Sun Meadow and the Declaration as Additional property and that such property is held and shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to the Declaration:

Sun Meadow No. 3 located in Deschutes County, Oregon

2. **LAND CLASSIFICATIONS.** All of the land within the Additional Property annexed hereby is included in one or another of the following classifications:

- 2.1 Lots, which consist of Lots 56 through 70, Lots 85 - 89, and 96 - 103 of the Additional Property;
- 2.2 Zero Lot Line Lots, which consist of Lots 71 through 84 and 90 - 95.;
- 2.3 Common Areas, which consist of Tract G, H, and K of the Additional Property;

After recording, return to
Amerititle
15 OREGON AVENUE, BEND

→ Maxc


- 2.4 Limited Common Areas, which consist of Tracts I and J of the Additional Property;
- 2.5 Common Easement Areas, which consists of the section of Right of Way, from the curb to the property line, on Brosterhous Road along the front of the Sun Meadow Plats.
- 2.6 Public Areas, which shall be each of the streets as shown on the Plat of the Additional Property.

3 **RESTRICTIONS ON USE.**

- 3.1 Each of the Lots and Zero Lot Line Lots in the Additional Property shall be subject to the use restrictions set forth in the Declaration.
- 3.2 Pursuant to Article 4.7 of the Declaration, Lots 71 through 84, together with Lots 5 through 18 of the Initial Development, shall be subject to a reciprocal access easement over Tract A.
- 3.3 Pursuant to Article 4.7 of the Declaration, Lots 59 through 61 shall be subject to a reciprocal access easement over Tract I.
- 3.4 Pursuant to Article 4.7 of the Declaration, Lots 90 through 95 shall be subject to a reciprocal access easement over Tract J.
- 3.5 Pursuant to Article 6.14 of the Declaration, Lot 96 through 103 shall have fencing installed by the Declarant. Owners are prohibited from removing their fence unless it is for fencing replacement, which must exactly match the fence type and size originally installed. All fencing shall be maintained in a good and attractive condition.
- 3.6 Pursuant to Article 9.1 of the Declaration, the Association shall maintain the staining and graffiti removal of the fencing. The Association shall perform inspections of this fencing on a monthly basis. Maintenance shall be limited to the side of the fence facing the road.

IN WITNESS WHEREOF, Declarant has executed this Declaration of Annexation as of the day first written above.

ELK HORN DEVELOPMENT LLC, an Oregon
limited liability company


By: Nancy E Kowalski
Its: LAND ACQUISITIONS MANAGER

STATE OF OREGON)
)ss.
County of Deschutes)

The foregoing instrument was acknowledged before me this 12 day of January, 2005 by _____ as _____ of Elk Horn Development LLC, an Oregon limited liability company, on its behalf.



Stephanie Binford
Notary Public for Oregon
My Commission Expires: 12-17-07