DESCHUTES COUNTY OFFICIAL RECORDS NANCY BLANKENSHIP, COUNTY CLERK

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\$51.00

01/06/2006 01:55:39 PM

D-CCR Cnt=1 Stn=23 TRACY \$25.00 \$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. 4

THIS DECLARATION OF ANNEXATION TO SUN MEADOW is made as of this 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. 4 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 104 through 146 of the Additional Property;
 - 2.2 Zero Lot Line Lots. There are no Zero Lot Lines Lots;
 - 2.3 Common Areas. There are no common areas of the Additional Property;

After recording, return to Amerititle 15 OREGON AVENUE, BEND

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- 2.4 Limited Common Areas, which consist of Tract M of the Additional Property;
- 2.5 Public Areas, which shall be each of the streets as shown on the Plat of the Additional Property;

3 **RESTRICTIONS ON USE**.

- 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.
- Pursuant to Article 4.7 of the Declaration, Lots 115 through 118 shall be subject to a reciprocal access easement over Tract M.
- 3.3 Rock/Retaining Wall Easements. Easements for installation and maintenance of rock/retaining walls, whether natural or man made, which shall include private storm drains for the rock/retaining walls, are reserved over portions of lots 126 142 of the Additional Property.
 - 3.3.1 The Owner of each Lot sharing a rock/retaining wall or private storm drain for the rock/retaining wall shall pay any costs associated with maintaining the rock/retaining wall on its respective side. Each Owner shall be responsible for maintaining such Owner's portion of the easement area surface and to keep the easement area clear of obstructions which in any manner might hinder access to their rear and side yards.
 - 3.3.2 The Owner of each Lot sharing a rock/retaining wall or private storm drain for the rock/retaining wall shall share equally the costs of all repairs or maintenance necessary to maintain the structural integrity of the rock/retaining wall. The decision whether to undertake a particular repair and who shall be responsible with carrying out the repair of the retaining wall or its private storm drain shall be agreed upon by the Owners. In the event any disputes arise concerning a retaining wall, the Board of Directors of the Association shall act as the arbitrators and their decision shall be final.
 - 3.3.3 Each adjoining yard, whether side or rear between two Lots shall be subject to a cross easement for maintenance and to allow the Owner of each Lot access to the rear and side of the retaining wall and it's private storm drain. The cross easement shall be over the first five feet from the common property line, thereby creating a ten foot wide easement centered between the Lots.

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: Its:	- 0
STATE OF OREGON)	
County of Deschutes)ss.	
The foregoing instru <u>Octombor</u> , 20 <u>05</u> by <u>Ma</u>	ncy & 7	knowledged before me this and an age of walke as Larol Acquisition Manager on limited liability company, on its behalf.
OFFICIAL SEAL PENNY FREE NOTARY PUBLIC - OI COMMISSION NO. AS MY COMMISSION EXPIRES JUL.	REGON (169154 (17915)	Notary Public for Oregon My Commission Expires: July 7, 2007

SURVEYOR'S CERTIFICATE

S89'24'38 E 293.10

INITIAL POINT NORTHWEST CORNER OF LOT 12, SUN NEADOW NO. 2

IT. GARY E. PAUL, HEREDY CERTIFY THAT I HAVE CORRECTLY SURFACTED AND MARKED WITH PROPER MONUMENTS
THE LANDS REPRESENTED ON THE AMRISED WAY OF "SUN MEADOW NO. 4" STUTUTED IN THE SOUTHWESTS
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AS PER ORS 92.070(2), I CARY E. PAUL, ALSO SAY THAT THE POSTMONAUERICATION OF THE INTERIOR MONUMENTS WITHIN THIS SUBDIVISION WILL BE ACCOMPLISHED WITHIN 90 CHLENDAR DAYS FOLLOWING THE COMPLETION OF THE PAYING OF IMPROVEMENTS, OR WITHIN ONE YEAR FOLLOWING THE ORIGINAL PLAT RECORDATION, WHICHEVER COMES FREST, IN ACCORDANCE WITH ORS 92.080.

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2698

THE PURPOSE OF THIS SURPEY IS TO SUBDIVIDE THAT TRACT OF LAWD AS DESCRIBED.

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THE LAND CONNEYED TO BLK HORN DEPLOYMENT ILD IN BOOK 2001, 24CE 7213-8.

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DENOTES 5/8" IRON ROD WITH YELLOW, PLASTIC CAP INSCREED THE ENGINEERING" FOUND AS SET IN CS 15073. DENOTES 5/8" IRON ROD WITH 2" ALUMINUM CAP NSCORBED "OTAX INC." FOUND AS SET IN "SUN MEMOOM" (CS 15776) OR "SUN MEMOOM NO. 3" (CS 16287). DENOTES 5/8" ROW ROD WITH TELLOW, PLASTIC CAP INSCRIED TOTAK INC." FOUND AS SET IN "SUN INFLOOM" (CS 15736). "SUN INFLOOM NO. 3" (CS 15987) OR "SUN INFLOOM NO. 3" (CS 16287) UNLESS OTHERWISE NOTED. DENOTES BRASS SCREW WITH 3/4" BRASS WASHER INSCREED "OTAK INC." FOUND AS SET IN "SUN NEADOW INC. 3" (CS 16287). DENOTES SOUWRE FEET DENOTES SURVEY NO., DESCHUTES COUNTY SURVEY RECORDS. DENOTES PUBLIC UTILITY EASEMENT denotes 2.50' private dradage easement for the benefit of the adjoining lot or tract unless noted as to the declarant denotes $5/8" \times 30"$ iron rod with yellow, plastic cap inscribed "otak inc." To be set within the period specified in the surveyor's certificate DENOTES PLAT OF "SUN MEADOW NO. 2", CS 15987 DENOTES PLAT OF SUN HEADON, CS15776 DENOTES PLAT OF "SUN MEADOW NO. 3", CS 16287 NARRATIVE CURVE SW1/4 SECTION 9, T.18S., R.12E., W.M. CITY OF BEND SIGN EASEMENT % "TILLICUM VILLAGE DESCHUTES COUNTY, OREGON SURVEYED SEPTEMBER 9, 2005 SHEET 1 OF 2 SECOND 51.99 2.50 TYP. 5,382 S.F. 5.50 S.F. 1,680 S.F. PDE 17. Seg 41-14 PEL 15. Seg 41-1 Ř S KILLOWAN LAN 30 4,680 S.F. PDE\ 98.43 POE 98.949 W 7 141 NE 8 141 NE 8 144 S.F. 38 \$89*49*48*W 90.00 (MS, SM3) 103 (130.84 CS15073) 9°25'30"E 130.75 4,844 S.F. 4,680 S.F. 140 5 1-21.80 BLOCK 3 102 144 PDE/ ADD. 533 UPPER TERRACE DRIVE BEND, OREGON 97702 (541)385-9960 FAX (541)312-8704 145 PDE 4 5 1/2" IRON PIPE, JACKLIGHT 218.49 500 10 12 5 JACKLIGHT NO1'08'20"W 167.01 (MS, CS15073) LANE 125 9723 S.F 5/6" IRON ROD WITH "PROPERTY CORNER" CAP SHOWN ON CS 15073 136 S.F. 256. 44.00 S.F. 256. 44.00 F10.12 FOE 4,400 S.F. | 95 Ŕ ě PDE 4 400 S.F. 100.00 ___ 4,800 S.F. 2.50 18.00 N89'49'48'E N87'50'55 E 8,253 S.F. 124 7,520 S.F. 'J' S89'49'48'W 200.00 93 44.00 -2.50' TYP. 123 6,767 S.F. 2.50° "SUN MEADOW NO. 92 5/8" IRON ROD WITH "PROPERTY CORNER" CAP SHOWN ON CS 15073 (MS, CS15073) 133 F 4,800 S.F. 5/8" IRON ROD WITH PROPERTY CORNER" CAP SHOWN ON CS 15073 9 132 POE' TRACT 'W 18 S.F. PO. 44.00 32 POE/) S.F. POE S.F. POE POE/ 90 MORNING TIDE PLACE 60.29 (MS, SM3) 8 8 PDE 119 1-2.86 SUN MEADOW 5: 88 120 L=16.45 (1) 110.59 110. HOAL CHINA 2.50°-TYP. 30 હ #0E 87.93 N89724'38'W NB9724'38"W 89.70 6,096 S.F. ğ ĕ Ŕ $\mathcal{C}_{\mathbf{i}}$ 97.00 ----\$4.200 S.F. - 97.00 - 1 - N89'49'48'E 108 7,630 S.F. 107 6,014 S.F. 106 6,494 S.F. 105 6,073 S.F. (MS, SM3) 104 4,410 S.F. 80.59 109 PDE 7,385 S.F. 88 89 LANE 2.50 TYP 6<u>5.52</u> 0'35'22 S00'10'12"E 164.17 (MS, SM) ଞ୍ 6,581 S.F. S00'08'27"E 101.14 PRE SA POE 7,720 S.F. 20 JACKLIGHT S 130.00 N89724'38'W 87 86 85 (MS, SM) 21 112 6,670 S.F. 19 SUN ANE 22 84.00 "SUN MEADOW" SPLENDOR LANGE 6,200 S.F. THIS IS AN EXACT COPY OF THE ORIGINAL PLAT "SUN MEADOW NO. 4". PROFESSIONAL LAND SURVEYOR 8 OREGON JANUARY 17, 1985 GARY E. PAUL 2698 RENEWAL 12/31/2006 23 P.L.S. NO. 2698 35'22"W 179.00 (MS, SM) | g MEADON (MS, SM2) 2.50 JACKLIGHT LANE 24 42 25 26 18 包里 4 32

NAME ALL PERSONS BY THESE PRESENT HAT ELY HORN DEFLOMENT LLC. AN OREGON LIMITED LIMBUTY COMPANY, DOES HEREBY MAKE ESTABLISH AND DECLARE THE ANNEXED MAP OF "SUN MEDODY MIG. 4". AS DESCRIBED IN THE ACCOMPANTING SURRECTOR'S EXTRITIONATE TO BE A TRUE AND CORRECT MAP AND PRICE PRESENT OF THE WORKS STORMANDE IN ACCORDANCE WITH THE PROVISIONS OF CARS. CAPATER AS, ALL LOTS AND TRACTIS BEING OF THE DIMENSIONS SHOWN AND ALL STREETS AND EXCENTENTS OF THE WORKS THEREON SET FORTH; AND WE DO HEREBY DEDOCATE TO THE PUBLIC FORENER AS PUBLIC WAYS THE RIGHT-OF-MAYS OF LACKLIGHT LACK, SUN MEDOCAW WAY, FULLDINAN LAVE AND MORNING TIDE PLACE AS SHOWN OF SUID MAP, AND WE DO HEREBY GRANT THE PRIVATE RECIPROCAL ACCESS AND DRANMAGE RESIDENTS AND THE PUBLIC UTILITY ESCALISH AS SHOWN OR NOTED FOR THE PURPOSES STATED HERDIN, AND WE DO HEREBY COMPEY TO THE SUN MEADOW HOMEDWHERS' TRACT "MA AS COMMON AREA, AS SHOWN ON SUID MAP, ALL LOTS AND TRACTIS ARE SUBBECT TO THE RESTRICTIONS NOTED OR STATED DESEMBERE IN THIS PLAT.

ELK HORN BONDLONGRIT LLC DOES HEREBY GRANT THE CITY OF BEND SEARE EXSELBRIT AS SHOWN OR NOTED, US A PERMANDRI, PEREPLIAL, AND DECLEME REIGHT TO CONSTRUCTI, INSTALL AND MANTAN HOU DEPRHE IF A SEMER LINE AND ALL BEAUTID FAULTISS ON THE MINIM THE SUBSURFACE BY THE EXCELDENT IN PERSON OR DETITY SIMIL BE AUTHORIZED TO CONSTRUCT, ERECT, OR INSTALL ANY STRUCTURES OR FACILITIES ON THE SUBSURFACE WITHOUT FOR THE SINGHAFACE WITHOUT FREST ORIZINIANO WHETTEN APPROVAL FROM THE CITY OF BEND.

ELK HORN DEVELOPMENT LLC
AN OREGON LIMITED LIABILITY COMPANY

LAND ACQUISITION MANAGER

ACKNOWLEDGMENT

STATE OF OREGON

COUNTY OF SS CO
MANAGER OF ELK HORN DEVELOPMENT, LLC, AN ORECON LIMITED LIMBILITY COMPANY.
NOTARY SIGNATURE
NOTARY PUBLIC - OREGON
COMMISSION NUMBER
MY COMMISSION EXPIRES

REMAINING CORNER MONUMENTATION

DESCHUTES COUNTY SURVEYOR

DAY OF

SW1/4 SECTION 9, T.18S., R.12E., W.M. DESCHUTES COUNTY, OREGON SURVEYED SEPTEMBER 8, 2006 SHEET 2 OF 2

APPROVALS

333 UPPER TERRACE DRIVE
BEND, OPEDON 97702
(541)385-9960 FAX (541)312-8704

NOTES AND RESTRICTIONS

- ALL LOTS AND TRACTS IN THIS PLAT ARE SUBJECT TO THE CONCENSTS, CONDITIONS AND RESTRICTIONS PLACE
 DESCRIPTIS COUNTY DEED RECORDS.
- This subdivision plat is subject to the conditions of approval haposed by the city of 8540 file pz 03-79.
- TRACT 'N' IS A PRIVATE OPEN SPACE TRACT TO BE CIMMED AND MAINTAINED BY THE SUN MEADOW HOMEDIMMERS' ASSOCIATION, THEIR SUCCESSORS OR ASSIGNS.
- TRACT "In" SHALL BE SUBJECT TO A PRIVATE RECIPROCAL ACCESS EASEMENT OVER ITS ENTIRED", SHID EASEMENT IS FOR THE BENEFIT OF LOTS 115—118.

APPROVED THIS DAY OF CITY OF BEND PLANNING DIRECTOR	, 2005
87	
APPROVED THIS DAY OF CITY OF BEND ENGINEER	2005
8Y	
SIGNATURES BY THE CITY OF BEND PLANNING DRECTOR AND ENGINEER CONSTITUTES ACCEPTANCE BY THE CITY OF BEND I ANY DEDICATION MADE HEREIN TO THE PUBLIC.	BEND C
APPROVED THISDAY OF	2005
RPERSON	
APPROVED THIS DAY OF DESCHUTES COUNTY SURVEYOR	2005
BY	
NO WATER RIGHTS EXIST APPURTENANT TO THIS PLAT.	
APPROVED THIS DAY OF APPROVED IRRIGATION DISTRICT	, 2005
87	
I HEREBY CERTIFY THAT PURSUANT TO O.R.S. 92.085, ALL AD WLADREN TAYES, FEES, AND OTHER CHARGES AS REQUIRED BY LAW TO BEF PLACED ON THE 2005—2006 TAY BOLL, WHICH BECOME A LIEN OR THAL BECOME A LIEN ON THIS SUBDIVISION OURING THIS TAX YEAR, BUT NOT TAT CERTIFIED TO THE TAX OLLLECTION, HAVE BEEN PAID TO ME TAX OLLLECTION, HAVE BEEN PAID TO ME TO THE TAX OLLLECTION, HAVE BEEN PAID TO ME TO THE TAX OLLLECTION, HAVE BEEN PAID TO ME TO THE TAX OLLLECTION, HAVE BEEN PAID TO ME TO THE TAX OLLLECTION, HAVE BEEN PAID TO ME TO THE TAX OLLLECTION, HAVE BEEN PAID TO ME TO THE TAX OLLLECTION, HAVE BEEN PAID TO ME TO THE TAX OLLLECTION, HAVE BEEN PAID TO ME TO THE TAX OLLLECTION.	5, ALL AD QUIRED B WHICH SUBDAYSIO THE TAX
DRECTOR DESCHUTES COUNTY DEPARTMENT OF ASSESSMENT	
BY	
I HEREBY CERTIFY THAT ALL AD VALOREM TAXES AND OTHER CHARGES AS REQUIRED BY LAW TO BE PLACED UPON THE TA ROLLS WHICH HAVE BECOME A LEN ON THIS SUBDIVISION THAF ARE AND DUE NO PRYABLE HAVE FEED AND AS OF	OTHER TA HE TA
2005.	

PROFESSIONAL LAND SURVEYOR

DIRECTOR
DESCRIPTES COUNTY DEPARTMENT OF FINANCE, AUDITING AND TAX COLLECTION

OREGON
JANUARY 8, 1945
GARY E. PAUL
2898 REDIEWAL 12/31/2008

ORIGINAL PLAT "SUN MEADOW NO. 4".

P.L.S. NO. 2698