

Return to: BTCA
61999 Broken Top Dr.
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377 - 1094

STATE OF OREGON

Cross-Reference to Declaration: Book 353

COUNTY OF DESCHUTES

Page 570

95-22456

**SUPPLEMENTAL DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR BROKEN TOP COMMUNITY**

THIS SUPPLEMENTAL DECLARATION is made this 27 day of June, 1995, by Broken Top Limited Partnership, an Oregon limited partnership (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant filed of record that certain Declaration of Covenants, Conditions, and Restrictions for Broken Top Community dated October 27, 1992, in Book 280, Pages 1492 through 1545, et seq. in the Deed Records of Deschutes County, Oregon ("Original Declaration"); and

WHEREAS, the Original Declaration was amended and restated by that instrument filed on September 28, 1994, in Book 353, Pages 570 through 672 of such Deed Records (the Original Declaration, as so amended and restated, is hereinafter referred to as the "Declaration");

WHEREAS, pursuant to the provisions of Article IX, Section 9.1, of the Declaration, Declarant reserved the right to subject to the Declaration certain additional property described in Exhibit "B" to the Declaration (the "Annexable Property");

WHEREAS, the real property described in Exhibit "A" attached hereto and incorporated by this reference (the "Additional Property"), is a portion of the Annexable Property; and

WHEREAS, Declarant wishes to subject the Additional Property to the Declaration and assign it to a specific Neighborhood, as described in Article III of the Declaration;

WHEREAS, the undersigned Owner(s), being the record owner(s) of the property described on Exhibit "A", does join in and consent to this Supplemental Declaration for the purpose of subjecting its property to this Declaration;

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby subjects the real property described on Exhibit "A" hereof to the lien and operation of the Declaration and the provisions of this Supplemental Declaration, which shall apply to such property in addition to the provisions of the Declaration. Such Property shall be sold, transferred, used, conveyed, occupied, mortgaged and otherwise encumbered pursuant to the provisions of this Supplemental Declaration and the Declaration, both of which shall run with the title to such property and shall be binding upon all persons having any right, title, or any interest in such property, their respective heirs, legal representatives, successors, successors-in-title, and assign.

Such property shall be assigned to the Neighborhood identified on Exhibit "A".

IN WITNESS WHEREOF, the undersigned Declarant has executed this Supplemental Declaration, as of the date first above written.

BROKEN TOP LIMITED PARTNERSHIP, an Oregon limited partnership

By: BROKEN TOP, INC., an Oregon corporation, its general partner

By: [Signature]

Its: General Manager

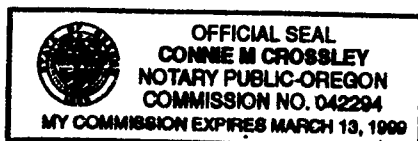
STATE OF OREGON

COUNTY OF DESCHUTES

The foregoing instrument was acknowledged before me this 27th day of June, 1998, by Stephen J. Robertson, General Manager of Broken Top, Inc., the General Partner of Broken Top Limited Partnership, an Oregon limited partnership, on behalf of the limited partnership.

[Signature]
Notary Public for Oregon

My Commission Expires: 3-13-99



ACKNOWLEDGEMENT AND CONSENT BY OWNER

Cascade Highlands Limited Partnership as the record owner of the property described on Exhibit "A" hereby acknowledges, consents to, and joins in the execution of this Supplemental Declaration for the purpose of subjecting such property to the terms of the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Broken Top Community filed on September 28, 1994, in Book 353, Page 570, et. seq. of the Deschutes County, Oregon, Deed Records, as evidenced by the signatures of its officers below.

Cascade Highlands Limited Partnership, an Oregon limited partnership

By: BROKEN TOP, INC., an Oregon corporation, its general partner

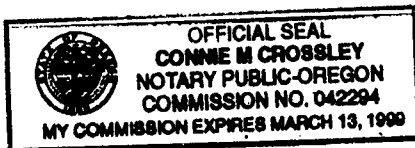
By: [Signature]

Its: General Manager

STATE OF OREGON

COUNTY OF DESCHUTES

The foregoing instrument was acknowledged before me this 27th day of June, 1995, by Stephen J. Robertson, General Manager of Broken Top, Inc., the General Partner of Cascade Highlands Limited Partnership, an Oregon limited partnership, on behalf of the limited partnership.



Connie M. Crossley
Notary Public for Oregon

My Commission Expires: 3-13-99

EXHIBIT "A"

Annexed Property

A. Tract BB of Broken Top, a subdivision in Deschutes County, Oregon, as shown in the Plat recorded in the Plat Records in Cabinet D, 132 and 133 of Deschutes County, Oregon are assigned to the Tennis Village Neighborhood.

STATE OF OREGON)
COUNTY OF DESCHUTES) SS.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND
RECORDER OF CONVEYANCES, IN AND FOR SAID
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WAS RECORDED THIS DAY:

95 JUN 28 PM 3:13

MARY SUE PENHOLLOW
COUNTY CLERK

BY. J. Wallace DEPUTY
NO. 95-22456 FEE 20.00
DESCHUTES COUNTY OFFICIAL RECORDS