

Return to:

96-00794

Cross-Reference to Declaration:

Broken Top Community Assn.
61999 Broken Top Drive
Bend, OR 97702

Book 353
Page 570

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

THIS SUPPLEMENTAL DECLARATION is made this 22nd day of December, 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 9.4, of the Declaration, Declarant reserved the right to subject to additional covenants and easements; and

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, the undersigned Owners, being the record owners 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 Supplemental Declaration;

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby declares the real property described on Exhibit "A" hereof, as provided by Article 12.6 of the Declaration, and notwithstanding any provision to the contrary in the Declaration, may be leased for terms of less than 30 days.

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

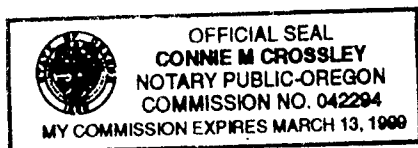
By: *Paul Zuest*

Title: Vice President

STATE OF OREGON

COUNTY OF DESCHUTES

The foregoing instrument was acknowledged before me this 24th day of December, 1995, by Paul Zuest, Vice President, of Broken Top, Inc., the General Partner of Broken Top 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

ACKNOWLEDGEMENT AND CONSENT BY OWNER

Barry R. Rowe, 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 this Supplemental Declaration, as evidenced by the signature below.

Barry R. Rowe
BARRY R. ROWE

STATE OF CALIFORNIA

COUNTY OF ALAMEDA

The foregoing instrument was acknowledged before me this 12th day of December, 1995, by Barry Rowe.

Helen M. Minor
Notary Public for California
My Commission Expires: Jan. 2, 1999

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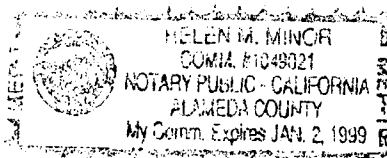


EXHIBIT "A"

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+133 of Deschutes County, Oregon.

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:

96 JAN -9 AM 10:02

MARY SUE PENHOLLOW
COUNTY CLERK

BY. T. Moore DEPUTY

NO. **96-00794** FEE 15.00
DESCHUTES COUNTY OFFICIAL RECORDS