

36V
AFTER RECORDING, RETURN TO:

Mountain Crest Homes, LLC
2464 SW Glacier Place, Suite 110
Redmond, OR 97756

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-39535



\$46.00

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**AMENDED AND RESTATED
DECLARATION OF ANNEXATION TO
THE PARKS
(Parks at Broken Top, Phase 4)**

THIS AMENDED AND RESTATED DECLARATION OF ANNEXATION TO THE PARKS is made as of this 22 day of June 2005, by **MOUNTAIN CREST HOMES, LLC**, an Oregon limited liability company ("Successor Declarant").

Recitals

A. Successor Declarant is the successor to the original declarant under the Declaration of Covenants, Conditions and Restrictions for The Parks originally recorded March 16, 2000 in the Records of Deschutes County, Oregon, in Volume 2000 at Page 10318, and subsequently re-recorded as the "Amended and Restated Declaration of Protective Covenants, Conditions and Restrictions for the Parks" (the Declaration), recorded as Document No. 2005-08060.

B. Successor Declarant had previously recorded the "Declaration of Annexation to The Parks (Parks at Broken Top, Phase 4)" on March 15, 2005 as Document No. 2005-14994, which is to be superceded by this "Amended and Restated Declaration of Annexation to The Parks (Parks at Broken Top, Phase 4)".

C. Successor Declarant has recorded the plat of Parks at Broken Top, Phase 4. Pursuant to Section 3.1 of the Declaration, Successor Declarant wishes to annex Parks at Broken Top, Phase 4 to The Parks and subject to the same to the Declaration.

NOW, THEREFORE, Successor Declarant hereby declares as follows:

1. **PROPERTY ANNEXED.** Successor Declarant hereby declares that all of the property described below (the "Additional Property") shall be annexed to The Parks and the Declaration and that such property is held and shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to the Declaration:

Parks Amend Restate Annex Declar 4

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→ Cal 15 OREGON AVENUE, BEND

All real property within that certain plat entitled "Parks at Broken Top, Phase 4" filed in the Plat Records of 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:

(a) Building Lots, which shall consist of Lots 132 through 172, as shown on the Plat of the Additional Property.

(b) Common Area, which shall be Tracts K, L, M and N, and all private streets and alleys as shown on the Plat of the Additional Property.

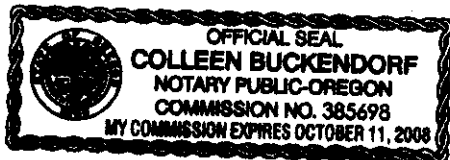
IN WITNESS WHEREOF, Successor Declarant has executed this Declaration of Annexation as of the day first written above

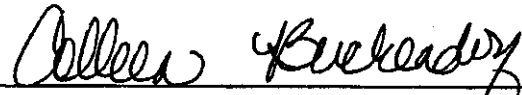
MOUNTAIN CREST HOMES, LLC, an Oregon limited liability company

By 
Hayden H. Watson, Member

STATE OF OREGON)
)ss.
County of Deschutes)

The foregoing instrument was acknowledged before me this 22 day of June 2005, by Hayden H. Watson, Member of Mountain Crest Homes, LLC, an Oregon limited liability company, on its behalf.




Notary Public for Oregon
My commission expires: October 11, 2008