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2006-78896



\$51.00

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12/01/2006 11:21:33 AM

D-CCR Cnt=1 Stn=3 PG
\$25.00 \$11.00 \$10.00 \$5.00

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→ **AFTER RECORDING, RETURN TO:**

Three Pines Development, LLC
9055 Beaverton-Hillsdale Hwy.
Portland, OR 97225

**AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
2003-25272
THREE PINES**

This amendment to the **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THREE PINES PUD** is made this 23 day of **October, 2006** by **THREE PINES DEVELOPMENT, L.L.C.**, an Oregon limited liability corporation ("Declarant").

RECITALS

A. Declarant owns property located in the City of Bend, Deschutes County, Oregon. Declarant is developing portions of this property as a planned unit development to be known as "**Three Pines**".

B. Declarant has filed the plat of Phase's 7-10 of the Three Pines PUD in the plat records of Deschutes County, Oregon. Declarant desires to subject the property described in the attached **Exhibit D** (for the "**Phase 7-9 Property**") to the terms of the Three Pines Declaration Recorded on April 3, 2003 for the benefit of such property and its present and subsequent owners.

NOW, THEREFORE, pursuant to Article 2.2 **Annexation of Additional Property** of the Three Pines Declaration of April 3, 2003, Declarant hereby amends the Declaration to:

1. include as additional property the lots in Phase 7-10 of the Three Pines PUD as described in Exhibit D and
2. declare that the lots described in Exhibit D shall become a part of Three Pines and the Declaration, and
3. establish that the Declarant and the Association shall have and shall accept and exercise administration of the amended Declaration with respect to the Additional Property in Phase 7-9 described in Exhibit D, and
4. the lots in Phase 7-9 shall be held, sold, and conveyed subject to the terms of the Declaration, which will run with such property and shall be binding upon all parties having or acquiring any right, title, or interest in such property or any part thereof and shall inure to the benefit of each owner thereof, and
5. establish additional architectural requirements as described in Exhibit D.

After recording, return to
Amerititle
15 OREGON AVENUE, BEND

Mary Kathryn Anderson
Notary Public for Oregon
My commission expires: July 2, 2009

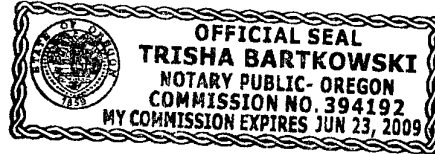
CONSENT BY BENEFICIARIES:

COLUMBIA RIVER BANK , Beneficiary

BY Shelle Pack

Date 11-8-06

Title Comm Loan officer, AVP



STATE OF OREGON)
County of Deschutes))Ss.

The foregoing instrument was acknowledged before me on November 8th, 2006 by
Shelle Pack as Commercial Loan officer, AVP for

COLUMBIA RIVER BANK.

Trisha Bartkowski
Notary Public for Oregon
My commission
expires: 6-23-09

DAVID W. MCCLAIN, Beneficiary

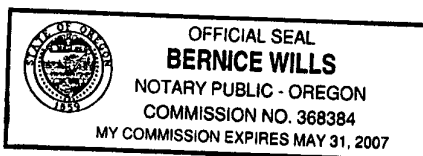
David W. McClain

Date 10-25-06

STATE OF OREGON)
County of Washington))Ss.
~~Deschutes~~

The foregoing instrument was acknowledged before me on October 25, 2006 by

David W. McClain..



Bernice Wills
Notary Public for Oregon
My commission
expires: May 31, 2007

**EXHIBIT C TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THREE PINES**

<u>Land Classification:</u>	<u>Property Description</u>
<u>Lots:</u>	Lots 56 and 59 and Lots 63 through 67 as shown on the plat of Three Pines P.U.D., PHASE 7-10 recorded in Deschutes County
<u>Common Areas:</u>	The following common tracts as shown on the plat of Three Pines P.U.D. PHASE 7-10 recorded in Deschutes County Oregon: Common Tract "M"
<u>Storm Water Retention Areas and Landscape Easement :</u>	Storm Water Retention Areas are located in Common Tract "N" to be conveyed to the Bend Parks and Recreation District. The Three Pines Owners Association shall have the right and obligation through a storm water easement to enter on to "Storm Water Retention area on Common Area "N" to repair the retention areas and the landscape walls and landscaping.
<u>Storm Water Drainage Restrictions:</u>	<p>Lots 62, 63, 64, 65, 68, and 69 are subject to storm water drainage restrictions. Owners are restricted from allowing storm water from roof drains and other hard surfaces from draining onto adjacent lots except as provided herein:</p> <p>Lot 62 shall provide for a storm water drainage pipe from Lot 62 to Mt. Shasta Drive along sewer easement "G" as shown on the Plat of Three Pines P.U.D., Phase 7-10 recorded in Deschutes County Oregon.</p> <p>Lot 69 shall provide for a storm water drainage pipe from Lot 69 to Mt. Shasta Drive along sewer easement "H" as shown on the Plat of Three Pines P.U.D., Phase 7-10 recorded in Deschutes County Oregon.</p> <p>Lot 64 and Lot 65 are required to provide for as part of the landscape plan a common drainage swale along the common property line of Lots 64/65, draining to Mt. Shasta Drive.</p> <p>Lot 65 and Lot 68 are required to provide for as part of the landscape plan a common drainage swale along the common property line of Lots 65/68, draining to Mt. Shasta Drive.</p>
<u>Public Areas</u>	<p>The following roads to which public access is granted as shown on the plat of Three Pines, P.U.D., PHASE 5 recorded in Deschutes County, Oregon</p> <p>N.W. Mt. Shasta Drive N.W. Mt. Theilsen Drive N.W. Mt. Jefferson Court</p>

Landscape Restriction	<p>Lots 56, 57 and 58 are subject to a landscape restriction along the northern lot line 10 ft. from Common Area "M". Owner is restricted from major modification of the 10 ft. area except as noted in a landscaping plan reviewed and approved by the Three Pines Architectural Review Committee. The landscape plan for the lot must include a detail restricting landscaping within this area to native plants only. Structures such as play equipment and water features are prohibited in this area. Steps and trails leading to Common Area "M" are allowed by the Architectural Review Committee.</p>
Architectural Guidelines	<p>Lots 56 -59 and 63-67 are subject to the Phase 7 through 9 Additional Specifications developed on October <u>23</u>, 2006.</p>