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DESCHUTES COUNTY OFFICIAL RECORDS NANCY BLANKENSHIP, COUNTY CLERK

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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 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.

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Phase 5 Lots, so annexed, shall be entitled to voting rights as set forth in Section 8.3 of the Declaration. The formula to be used for reallocating the common expenses and the manner of reapportioning the common expenses during a fiscal year are set forth in Section 10.8 of the Declaration. This Amendment of the Declaration shall not become effective until recorded in the Official Records of Deschutes County, Oregon.

THREE PINES DEVELOPMENT, L.L.C., an Oregon limited liability corporation ("Declarant") By: Its: Managing Montoer STATE OF OREGON WASH. OSS. County of Deschutes) The foregoing instrument was acknowledged before me on JIVAMED as THREE PINES DEVELOPMENT, L.L.C., an Oregon limited liability corporation. MARY KATHRYN ANDERSON NOTARY PUBLIC-OREGON COMMISSION EXPIRES JULY 12, 2009 MY COMMISSION EXPIRES JULY 12, 2009 For THREE PINES DEVELOPMENT, L.L.C., an Oregon limited liability corporation. MARY KATHRYN ANDERSON NOTARY PUBLIC-OREGON COMMISSION EXPIRES JULY 12, 2009 MY COMMISSION NOTARY PUBLIC-OREGON COMMISSION EXPIRES JULY 12, 2009 MY COMMISSION NOTARY PUBLIC-OREGON COMMISSION EXPIRES JULY 12, 2009 MY COMMISSION NOTARY PUBLIC-OREGON COMMISSION EXPIRES JULY 12, 2009 MY COMMISSION NOTARY PUBLIC-OREGON COMMISSION EXPIRES JULY 12, 2009 MY COMMISSION NOTARY PUBLIC-OREGON COMMISSION EXPIRES JULY 12, 2009 MY COMMISSION NOTARY PUBLIC-OREGON COMMISSION EXPIRES JULY 12, 2009 MY COMMISSION EXPIRES JULY 12, 2	IN WITNESS WHEREOF, Declarant has executed this Declaration this 25 day of	•
By: Its: Managing Member OFFICIAL SEAL OFFICIAL SEAL OFFICIAL SEAL OFFICIAL SEAL MARY KATHRYN ANDERSON NOTARY PUBLIC-OREGON COMMISSION NO. 394822 MY COMMISSION EXPIRES JULY 12, 2009 The foregoing instrument was acknowledged before me on JVMY as THREE PINES DEVELOPMENT, L.L.C., an Oregon limited liability corporation. Mary Public for Oregon My commission	October, 2006.	
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County of Deschutes The foregoing instrument was acknowledged before me on	MARY KATHRYN ANDERSON () NOTARY PUBLIC-OREGON	
County of Deschutes The foregoing instrument was acknowledged before me on OU 23, 2004 by Say Jivayee as for THREE PINES DEVELOPMENT, L.L.C., an Oregon limited liability corporation. Notary Public for Oregon My commission	STATE OF OREGON) COMMISSION NO. 394822 COMMISSION PRINTED JULY 12, 2009	
THREE PINES DEVELOPMENT, L.L.C., an Oregon limited liability corporation. Many Kulhyn Auderson Notary Public for Oregon My commission	WASH.)Ss. County of Deschutes)	
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Notary Public for Oregon My commission	THREE PINES DEVELOPMENT, L.L.C., an Oregon limited liability corporation.	
Notary Public for Oregon My commission	Mary Kalhyn auderson	,
	Notary Public for Oregon	_
expires: / The 1001		
5. p. 10. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	expires: 1009	

CONSENT BY BENEFICIARIES:		
COLUMBIA RIVER BANK, Beneficiary		
BY Shelle Pael Date 11-8-06		
Title Commol Livan officer, AUP OFFICIAL SEAL TRISHA BARTKOWSKI		
STATE OF OREGON) STATE OF OREGON) SSS. NOTARY PUBLIC- OREGON (COMMISSION NO. 394192 (MY COMMISSION EXPIRES JUN 23, 2009) (SSS.)		
County of Deschutes)		
The foregoing instrument was acknowledged before me on Wernber 8 , 2006 by		
ohele Pack as Commercial Loan Officer, for		
Notary Public for Oregon My commission expires: 6-23-09		
DAVID W. MCCLAIN, Beneficiary		
DW M Clain Date 10-25-06		
STATE OF OREGON) Wasking for) County of Deschutes)		
The foregoing instrument was acknowledged before me on October 25, , 2006 by		
David W. McClain		
Seince Wills		
OFFICIAL SEAL BERNICE WILLS NOTARY PUBLIC - OREGON COMMISSION NO. 368384 MY COMMISSION EXPIRES MAY 31, 2007 Notary Public for Oregon My commission expires: Notary Public for Oregon My commission expires:		

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

Land Classification: Proper	ty Description
Lots:	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
Common Areas:	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"
Storm Water Retention Areas and	Storm Water Retention Areas are located in
Landscape Easement :	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.
Storm Water Drainage Restrictions:	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:
	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.
	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.
	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.
	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.
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Public Areas	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
	N.W. Mt. Shasta Drive
	N.W. Mt. Theilsen Drive
	N.W. Mt. Jefferson Court

Landscape Restriction	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.
Architectural Guidelines	Lots 56-59 and 63-67 are subject to the Phase 7 through 9 Additional Specifications developed on October 23, 2006.