

FIRST AMENDMENT TO DECLARATIONS, RESTRICTIONS, PROTECTIVE COVENANTS
AND CONDITIONS FOR TIMBER RIDGE, DESCHUTES COUNTY, OREGON

The original Declaration was made June 7, 1976, and recorded June 16, 1976, in Vol. 232, Pages 885-889 of the Deschutes County Deed records.

This amendment was approved January 18, 1986, by a vote of more than 70% of the members of the Timber Ridge Homeowners Association.

The changes are as follows:

ARTICLE VIII

DELETE the words "After initial construction of the residence and sale to the homeowner".

ARTICLE V, Sections 1 and 8, and ARTICLE IX, Section 1

DELETE these three entire sections as originally written, and substitute in their places the following three revised sections:

ARTICLE V. Section 1. CREATION OF LIEN: The Declarant for each lot which it owns, hereby covenants, and each owner of any lot by acceptance of a deed therefor, is deemed to covenant and agree to pay to the Association the following:

- (a) Annual maintenance and utility assessments or charges, and
- (b) Special assessments for capital improvements. The assessments will be established and collected by the Association. The annual and special assessments, together with interest, costs, and reasonable attorney's fees incurred in the collection thereof shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. In addition, such charges shall be the personal obligation of the person who was the owner of such property at the time when the assessment fell due.

ARTICLE V. Section 8. SUBORDINATION: The lien of the assessments provided for herein shall be inferior, junior and subordinate to the lien of any previously recorded mortgage or trust deed placed upon said property. Sale or transfer of any lot shall not affect the assessment lien. However, the sale or transfer of any lot which is subject to any previously recorded mortgage or trust deed, pursuant to a decree of foreclosure under such mortgage or trust deed or any proceeding in lieu of foreclosure thereof, shall extinguish the lien of such assessments as to amounts thereof which become due prior to such sale or transfer; and such lien shall attach to the net proceeds of sale, if any, remaining after such mortgages and other prior liens and charges have been satisfied. No sale or transfer pursuant to a decree of foreclosure or any proceedings in lieu thereof shall relieve such lot from liability for any assessments thereafter becoming due or from the lien thereof.

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0120-1131

ARTICLE IX. Section 1. ENFORCEMENT: The Association, or any Owner, or the owner of any recorded mortgage upon any part of said Property, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens, and charges now or hereafter imposed by the provisions of this Declaration and the Rules and Regulations enacted pursuant to Article VII hereof. Failure by the Association or by any owner, to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. All costs and reasonable attorney's fees incurred in the enforcement thereof shall be the obligation of the party in violation thereof and shall constitute a continuing lien upon the property whose owner is in violation. If any owner constructs or permits to be constructed on his property any improvement or allows the condition of his property to violate any provision of this Declaration, the Association may initiate legal action to compel compliance and/or remove said violation. All costs incurred in such action, including reasonable attorney fees shall become the personal obligation of the owner who is in violation and shall be a continuing lien upon said owner's property until paid.

SIGNED by all the members of the Board of Directors of the Timber Ridge Homeowners Association:

A. G. McNaught

D. Y. Wilson

Del Morris

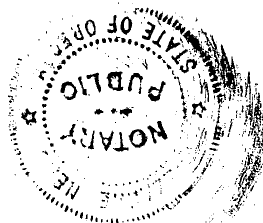
Gordon W. McKay

John B. Ballard

Subscribed and sworn to before me by
A. G. McNaught, D. Y. Wilson,
Del Morris, Gordon W. McKay, and
John B. Ballard this 9th day of
April, 1986.

Suzanne Neal
Notary Public for Oregon

My commission expires 7-30-89



1811-1819

0120-1132

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:

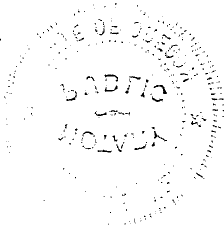
1996 APR 11 AM 8:38

MARY SUE PENHOLLOW
COUNTY CLERK

BY: B. Lowell DEPUTY

NO. 86- 6844 FEE 9-

DESCHUTES COUNTY OFFICIAL RECORDS



John B. Ballard
20419 Mainline Rd.
Bend - 02